had become during the Allende Government's attempts to impose drastic Socialism opposed by the majority prompt pacification and reconciliation could not be expected. But the junta will surely render these imperative long-run goals impossible if it carries out what seems to be a plan to try every major figure of that Government within its reach before military tribunals on charges of treason.

The trial of Luis Corvalan, the Communists party secretary-general, is a case in point. Strange as it seems to those unfamiliar with Chilean politics, the Communists not only had played by the democratic rules but had been a force for moderation and compromise within the Allende coalition, repeatedly critical of the more revolutionary Socialists. In the absence of solid evidence in open court, the junta will have difficulty convincing the world that Mr. Corvalan was guilty.

Apart from its zeal to punish Allende associates and to root out Marxists, the junta has hinted at a long stretch of military rule under something like a corporate state structure. A new Constitution will reportedly provide for a continuing military role in government, including representation in legislative bodies. And in one of its most ominous actions, the junta is replacing all rectors of Chilean universities with military officers.

If it persists in measures so destructive of Chile's democratic tradition, the junta will court not merely the hostility abroad that seems to worry it but eventual disaster for itself at home. The hope must be that many of these actions are stopgap measures taken in haste and that the military leaders will ultimately reject the corporate state, opting instead for a return to democratic, constitutional government, with the armed forces returning to their traditional place on the sidelines.

PERSONAL EXPLANATION

HON. JOHN BRECKINRIDGE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. BRECKINRIDGE. Mr. Speaker, due to a death in the family of a member of my staff in my district office in Lexington, Ky., I was unable to attend House proceedings on October 11, 1973.

Had I been present on the floor of the House on October 11, I would have voted in favor of House Joint Resolution 727, a bill providing further continuing appropriations for fiscal year 1974. I also would have voted in favor of H.R. 10614, the military construction authorization for fiscal year 1974.

In my absence I was given a live pair against recommitting the conference report on House Joint Resolution 727 to the conference committee, and a live pair in favor of final passage of the bill.

Since there were so few Members against the military construction authorization, H.R. 10614, I was unable to receive a live pair; however, I was given a general pair.

HOUSE OF REPRESENTATIVES—*Saturday, October 13, 1973*

The House met at 10 o'clock a.m.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

If any of you lack wisdom, let him ask of God, who giveth to all men liberally; and it shall be given him.—James 1: 5.

"God give us men! A time like this demands
Strong minds, great hearts, true faith and ready hands;
Men whom the lust of office does not kill;
Men whom the spoils of office cannot buy;
Men who possess opinions and a will;
Men who have honor, men who will not lie;
Men who can stand before a demagog,
And damn his treacherous flatteries without winking!
Tall men, sun-crowned, who live above the fog
In public duty and in private thinking."

—JOSIAH GILBERT HOLLAND.

And now, O God, help us to make a wise decision regarding the nomination of our new Vice President, particularly since he is an honored Member of our own body. God bless GERRY FORD. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

NOMINATION OF VICE PRESIDENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93–165)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee on the Judiciary and ordered to be printed:

To the Congress of the United States:

Pursuant to the provisions of Section 2 of the Twenty-fifth Amendment to the Constitution of the United States, I hereby nominate Gerald R. Ford, of Michigan, to be the Vice President of the United States.

RICHARD NIXON.

THE WHITE HOUSE, *October 13, 1973.*

GENERAL LEAVE

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the transmittal of the letter from the President of the United States on the nomination of our colleague, GERALD R. FORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PROPOSED MODIFICATION OF 25TH AMENDENT

Mr. GONZALEZ. Mr. Speaker, it is not my intention at this time to take this unanticipated half hour at this particular juncture. However, the reason I did make the request was because of an overriding sense of necessity to speak at this particular time with respect to, among other things, the announcement just received from the President.

I know that everybody is more or less in a congratulatory mood, particularly in this House and on this side of the Capitol. However, I must remind my associates and fellow citizens generally that there are many disturbing elements that should preoccupy our thoughts at this time.

The quick succession of events that have literally shaken everybody in the country I do not think will be removed permanently, or at least removed from this penumbra of suspicion and doubt that seems to permeate our country, particularly in the highest offices. I think it solves the problem that was created by the manner in which the Vice President submitted his resignation, but since this matter has been referred to the Committee on the Judiciary, I think it is proper that we ought to remind this committee that not only should it consider this particular nomination submitted for its consideration, but it should look into the ominous aspects of the 25th amendment in the light of developments today.

There were some of us who opposed that amendment in 1966. There were some of us who spoke against it. I hate to say that some of the specific examples that we feared have come to pass.

Another section of the 25th amendment—and God forbid it—could easily be resorted to at this time in a way that we cannot foresee now. Therefore, I think it is very, very necessary that this committee examine not only the nomination but the need for the entire Congress and the Nation to reexamine whether or not we should modify this 25th amendment.

At the time it was being debated, I did not think that the committee or its chairman at that time were serious about its consideration because it had many, many escape hatches that were nebulous, that in unsettled times, as I said then, could confirm the fears of such men as Madison, who at the time they were deliberating in the Constitutional Convention the section on the Presidency were warning about "bold and venturesome men."

It seems to me that where it is possible in a setting of very unsettled and

troubled times that we could have a cabal in the Cabinet reaching the conclusion that they wanted to rid themselves of the President, and two-thirds or three-fourths of the Cabinet could declare the President incapable of discharging his duties.

Therefore, I look with great misapprehension at this time to the continuation of our Nation's business without this committee seriously going into a revision and a modification of the 25th amendment.

We must not allow our enthusiasm over the nomination of our colleague to obscure our judgment. This is no time to lose sight of the critical situation our Nation faces, nor of the enormous potential for danger and mischief contained in the 25th amendment.

It is assuredly our duty to examine the nominee and render a judgment on his nomination. But it is also our responsibility to understand the Nation's difficulties and needs.

One such need is to modify the 25th amendment.

It would be possible in unsettled times for the Cabinet to assemble a cabal and declare the President incompetent, which God forbid. But if this did ever happen, we would be confronted with the necessity of determining how to establish a commission to determine the facts. In the midst of this sort of crisis, anything could happen, including a forceful takeover of the Presidency. For power does not exist in a vacuum; the creation of a crisis might lead to a still greater crisis.

It would be possible under the 25th amendment for a President to plot the downfall of the Vice President, or vice versa. This may never happen, but it is possible, and given the high stakes of the respective offices, we should beware of any device which would enable plots to take place.

We did not wish to think that this is possible, but in the past months we have seen clearly how willful men, seized of power, have willingly plotted to undermine the electoral process. We do not know what such people would have done had there been a strong contest for the Presidency. But we know this: we know that this country is capable of producing ruthless and unprincipled people, and putting such people in position of high responsibility, and we have seen what they are capable of doing. Who is to say that in less settled times such persons would not take advantage of the 25th amendment to seize power one way or another?

We need to think of the unthinkable. We have after all just witnessed unthinkable, astounding events. We need soberly to reflect on these events, and ponder what might have been, and whether we need to revise the 25th amendment.

The political crisis of the Nation is not all that we must consider. We must consider that problems undreamed of when the 25th amendment was enacted have come to pass, and must be taken into account. We cannot allow our warm feelings for a fellow Member interfere with our deeper responsibility to consider the constitutional crisis we face, and the potential flaws lying in the very amendment which it is now our duty to carry into effect.

Mr. Speaker, I yield back the balance of my time.

CONFERENCE REPORT ON H.R. 9286, MILITARY PROCUREMENT AUTHORIZATION, 1974

Mr. HÉBERT submitted the following conference report and statement on the bill (H.R. 9286) to authorize appropriations during the fiscal year 1974 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each reserve component of the Armed Forces and the military training student loads, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 93-588)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 9286) to authorize appropriations during the fiscal year 1974 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each reserve component of the Armed Forces and the military training student loads, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

TITLE I—PROCUREMENT

SEC. 101. Funds are hereby authorized to be appropriated during the fiscal year 1974 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons as authorized by law, in amounts as follows:

Aircraft

For aircraft: for the Army, $168,000,000; for the Navy and the Marine Corps, $2,912,600,000 of which amount not to exceed $693,100,000 shall be available for an F-14 aircraft program of not less than 50 aircraft, subject to no increase being made in the ceiling price of $325,000,000 specified in the fiscal year 1974 F-14 contract between the Navy and the primary airframe contractor, except in accordance with the terms of such contract, including the clause providing for normal technical changes; for the Air Force, $2,964,635,000; *Provided*, That $158,800,000 of the funds available to the Air Force for aircraft procurement shall be available only for the procurement of twelve F-111F aircraft.

Missiles

For missiles: for the Army $565,000,000; for the Navy, $680,200,000; for the Marine Corps, $32,300,000; for the Air Force, $1,519,600,000.

Naval Vessels

For naval vessels: for the Navy, $3,737,000,000, of which sum $79,000,000 shall be only for the long lead-time items for the DLGN-41 and DLGN-42. The contracts for the DLGN-41 and the DLGN-42 shall be entered into as soon as practicable unless the President fully advises the Congress that their construction is not in the national interest.

Tracked Combat Vehicles

For tracked combat vehicles: for the Army, $193,300,000; for the Marine Corps, $46,200,000.

Torpedoes

For torpedoes and related support equipment: for the Navy, $203,300,000.

Other Weapons

For other weapons: for the Army, $44,700,000; for the Navy, $37,100,000; for the Marine Corps, $700,000.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 201. Funds are hereby authorized to be appropriated during the fiscal year 1974 for the use of the Armed Forces of the United States for research, development, test, and evaluation, as authorized by law, in amounts as follows:

For the Army, $1,983,758,000;

For the Navy (including the Marine Corps), $2,670,749,000, of which amount $60,900,000 is authorized only for the Surface Effect Ships program;

For the Air Force, $3,034,800,000; and

For the Defense Agencies, $505,578,000, of which $24,600,000 is authorized for the activities of the Director of Test and Evaluation, Defense.

TITLE III—ACTIVE FORCES

SEC. 301. (a) For the fiscal year beginning July 1, 1973, and ending June 30, 1974, each component of the Armed Forces is authorized an end strength for active duty personnel as follows:

(1) The Army, 803,806;

(2) The Navy, 566,320;

(3) The Marine Corps, 196,419;

(4) The Air Force, 666,357.

(b) The end strength for active duty personnel prescribed in subsection (a) of this section for the fiscal year ending June 30, 1974, shall be reduced by 43,000. Such reduction shall be apportioned among the Army, Navy, Marine Corps, and Air Force in such manner as the Secretary of Defense shall prescribe, except that in applying any portion of such reduction to any military department, the reduction shall be applied to the maximum extent practicable to the support forces of such military department. The Secretary of Defense shall report to the Congress within 60 days after the date of enactment of this Act on the manner in which this reduction is to be apportioned among the military departments and among the mission categories described in the Military Manpower Requirements Report. This report shall include the rationale for each reduction.

(c) The Committee on Armed Services of the House shall report to the House by April 1, 1974, a detailed and independent study on the advisability of maintaining our present military commitment to Europe in view of the current economic and military situation in Europe.

SEC. 302. In computing the authorized end strength for the active duty personnel of any component of the Armed Forces for any fiscal year, there shall not be included in the computation members of the Ready Reserve of such component ordered to active duty under the provisions of section 673 of title 10, United States Code, members of the Army National Guard or members of the Air National Guard called into Federal service under section 3500 or 8500, as the case may be, of title 10, United States Code, members of the militia of any State called into Federal service under chapter 15 of title 10, United States Code, or persons ordered to active duty for training.

SEC. 303. (a Section 673 of title 10, United States Code, is amended by adding at the end thereof a new subsection as follows:

"(d) Whenever one or more units of the Ready Reserve are ordered to active duty, the President shall, on the first day of the second fiscal year quarter immediately following the quarter in which the first unit or units are ordered to active duty and on the first day of each succeeding six-month period thereafter, so long as such unit is retained on active duty, submit a report to the Congress regarding the necessity for such unit or units being ordered to and retained on active duty. The President shall include in each such report a statement of the mission of each such unit ordered to active duty, an evaluation of such unit's performance of that mission, where each such unit is being deployed at the time of the report, and such other information regarding each unit as the President deems appropriate."

(b) The amendment made by subsection (a) of this section shall be effective with respect to any unit of the Ready Reserve ordered to active duty on or after the date of enactment of this Act.

TITLE IV—RESERVE FORCES

SEC. 401. For the fiscal year beginning July 1, 1973, and ending June 30, 1974, the Selected Reserve of each Reserve component of the Armed Forces will be programed to attain an average strength of not less than the following:

(1) The Army National Guard of the United States, 379,144;

(2) The Army Reserve, 232,591;

(3) The Naval Reserve, 119,231;

(4) The Marine Corps Reserve, 39,735;

(5) The Air National Guard of the United States, 92,291;

(6) The Air Force Reserve, 49,773;

(7) The Coast Guard Reserve, 11,300.

SEC. 402. The average strength prescribed by section 401 of this title for the Selected Reserve of any Reserve component shall be proportionately reduced by (1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at any time during the fiscal year, and (2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at any time during the fiscal year. Whenever such units or such individual members are released from active duty during any fiscal year, the average strength for such fiscal year for the Selected Reserve of such Reserve component shall be proportionately increased by the total authorized strength of such units and by the total number of such individual members.

TITLE V—MILITARY TRAINING STUDENT LOADS

SEC. 501. (a) For the fiscal year beginning July 1, 1973, and ending June 30, 1974, each component of the Armed Forces is authorized an average military training student load as follows:

(1) The Army, 89,200;

(2) The Navy, 75,800;

(3) The Marine Corps, 28,000;

(4) The Air Force, 55,100;

(5) The Army National Guard of the United States, 19,100;

(6) The Army Reserve, 59,900;

(7) The Naval Reserve, 17,400;

(8) The Marine Corps Reserve, 6,700;

(9) The Air National Guard of the United States, 4,600;

(10) The Air Force Reserve, 24,300;

(b) The average military training student loads for the Army, the Navy, the Marine Corps, and the Air Force prescribed in subsection (a) of this section for the fiscal year ending June 30, 1974, shall be reduced consistent with the overall reduction in manpower provided for in title III of this Act. Such reduction shall be apportioned among the Army, the Navy the Marine Corps, and the Air Force in such manner as the Secretary of Defense shall prescribe.

(7) the implications for the ability of the armed forces to fulfill their mission as a result of the change in the socio-economic composition of military enlistees since the enactment of new recruiting policies provided for in Public Law 92–129 and the implications for national policies of this change in the composition of the armed forces; and

(8) such other matters related to manpower as the Commission deems pertinent to the study and investigation authorized by this title.

POWERS OF THE COMMISSION

SEC. 703. (a) The Commission or, on the authorization of the Commission, any subcommittee or member thereof may, for the purpose of carrying out the provisions of this title, hold such hearings and sit and act at such times and places as the Commission or such subcommittee or member may deem advisable.

(b) The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purposes of this title. Each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

(c) The Commission shall establish appropriate measures to insure the safeguarding of all classified information submitted to or inspected by it in carrying out its duties under this title.

COMPENSATION OF THE COMMISSION

SEC. 704. Each member of the Commission shall receive an amount equal to the daily rate paid a GS–18 under the General Schedule contained in section 5332 of title 5, United States Code (including traveltime), during which he is engaged in the actual performance of his duties as a member of the Commission. Members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

STAFF OF THE COMMISSION

SEC. 705. (a) The Commission shall appoint an Executive Director and such other personnel as it deems advisable without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and shall fix the compensation of such personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates; but personnel so appointed may not receive compensation in excess of the rate authorized for GS–18 by section 5332 of such title 5.

(b) The Commission is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at GS–18.

(c) The Commission is authorized to enter into contracts with public agencies, private firms, institutions, and individuals for the conduct of research and surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

ADMINISTRATIVE SERVICES

SEC. 706. The Administrator of the General Services Administration shall provide administrative services for the Commission on a reimbursable basis.

REPORTS OF THE COMMISSION

SEC. 707. (a) The Commission shall, from time to time, submit interim reports to the Congress and to the President regarding its duties under this title, and shall include in any such reports its findings together with such recommendations for administrative or legislative action as the Commission considers advisable.

(b) The Commission shall submit its final report to the Congress and to the President not more than twenty-four months after the appointment of the Commission. Such report shall include all interim reports and the final findings and recommendations of the Commission.

(c) The Commission shall cease to exist sixty days after the submission of its final report.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 708. There are authorized to be appropriated to the Commission a sum not to exceed $2,500,000 to carry out the provisions of this title.

TITLE VIII—GENERAL PROVISIONS

SEC. 801. Subsection (a)(1) of section 401 of Public Law 89–367, approved March 15, 1966 (80 Stat. 37), as amended, is hereby amended to read as follows:

"(a)(1) Not to exceed $1,126,000,000 of the funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other Act are authorized to be made available for their stated purposes to support: (A) Vietnamese and other free world forces in support of Vietnamese forces, (B) local forces in Laos; and for related costs, during the fiscal year 1974 on such terms and conditions as the Secretary of Defense may determine. None of the funds appropriated to or for the use of the Armed Forces of the United States may be used for the purpose of paying any overseas allowance, per diem allowance, or any other addition to the regular base pay of any person serving with the free world forces in South Vietnam if the amount of such payment would be greater than the amount of special pay authorized to be paid, for an equivalent period of service, to members of the Armed Forces of the United States (under section 310 of title 37, United States Code) serving in Vietnam or in any other hostile fire area, except for continuation of payments of such additions to regular base pay provided in agreements executed prior to July 1, 1970. Nothing in clause (A) of the first sentence of this paragraph shall be construed as authorizing the use of any such funds to support Vietnamese or other free world forces in actions designed to provide military support and assistance to the Government of Cambodia or Laos: *Provided*, That nothing contained in this section shall be construed to prohibit support of actions required to insure the safe and orderly withdrawal or disengagement of United States forces from Southeast Asia, or to aid in the release of Americans held as prisoners of war."

SEC. 802. (a) The amount of $28,400,000 authorized to be appropriated by this Act for the development and procurement of the C–5A aircraft may be expended only for the reasonable and allocable direct and indirect costs incurred by the prime airframe contractor under a contract entered into with the United States to carry out the C–5A aircraft program. No part of such amount may be used for—

(1) direct costs of any other contract or activity of the prime contractor;

(2) profit on any materials, supplies, or services which are sold or transferred between any division, subsidiary, or affiliate of the prime contractor under the common control of the prime contractor and such division, subsidiary, or affiliate;

(3) bid and proposal costs, independent research and development costs, and the cost of other similar unsponsored technical effort; or

(4) depreciation and amortization costs in excess of $1,700,000 on property, plant, or equipment.

Any of the costs referred to in the preceding sentence which would otherwise be allocable to any work funded by such $28,-

400,000 may not be allocated to other portions of the C–5A aircraft contract or to any other contract with the United States, but payments to C–5A aircraft subcontractors shall not be subject to the restriction referred to in such sentence.

(b) Any payments from such $28,400,000 shall be made to the prime contractor through a special bank account from which such contractor may withdraw funds only after a request containing a detailed justification of the amount requested has been submitted to and approved by the contracting officer for the United States. All payments made from such special bank account shall be audited by the Defense Contract Audit Agency of the Department of Defense and, on a quarterly basis, by the General Accounting Office. The Comptroller General shall submit to the Congress not more than thirty days after the close of each quarter a report on the audit for such quarter performed by the General Accounting Office pursuant to this subsection.

(c) The restrictions and controls provided for in this section with respect to the $28,400,000 referred to in subsections (a) and (b) of this section shall be in addition to such other restrictions and controls as may be prescribed by the Secretary of Defense or the Secretary of the Air Force.

SEC. 803. (a) Chapter 4 of title 10, United States Code, is amended by adding the following new sections after section 137 and inserting corresponding items in the chapter analysis:

"§ 138. Secretary of Defense: Annual authorization of appropriations for armed forces

"(a) No funds may be appropriated for any fiscal year to or for the use of any armed force or obligated or expended for—

"(1) procurement of aircraft, missiles, or naval vessels;

"(2) any research, development, test, or evaluation, or procurement or production related thereto;

"(3) procurement of tracked combat vehicles;

"(4) procurement of other weapons; or

"(5) procurement of naval torpedoes and related support equipment;

unless funds therefor have been specifically authorized by law.

"(b) Congress shall authorize the personnel strength of the Selected Reserve of each reserve component of the armed forces. No funds may be appropriated for any fiscal year for the pay and allowances of members of any reserve component of the armed forces unless the personnel strength of the Selected Reserve of that reserve component for that fiscal year has been authorized by law.

"(c)(1) Congress shall authorize the end strength as of the end of each fiscal year for active-duty personnel for each component of the armed forces. No funds may be appropriated for any fiscal year to or for the use of the active-duty personel of any component of the armed forces unless the end strength for active-duty personnel of that component for that fiscal year has been authorized by law.

"(2) Congress shall authorize the end strength as of the end of each fiscal year for civilian personel for each component of the Department of Defense. No funds may be appropriated for any fiscal year to or for the use of the civilian personnel of any component of the Department of Defense unless the end strength for civilian personnel of that component for that fiscal year has been authorized by law.

"(3) The Secretary of Defense shall submit to Congress a written report, not later than February 15 of each fiscal year, recommending the annual active duty end strength level for each component of the armed forces for the next fiscal year and the annual civilian personnel end strength level for each component of the Department of Defense for the next fiscal year, and shall include in that report justification for the strength levels recommended and an explanation of the relationship between the personnel strength levels recommended for that fiscal year and the national security policies of the United States in effect at the time. The justification and explanation shall specify in detail for all military forces, including each land force division, carrier and other major combatant vessel, air wing, and other comparable unit, the—

"(A) unit mission and capability;

"(B) strategy which the unit supports; and

"(C) area of deployment and illustrative areas of potential deployment, including a description of any United States commitment to defend such areas.

It shall also include a detailed discussion of (i) the manpower required for support and overhead functions within the armed forces and the Department of Defense, (ii) the relationship of the manpower required for support and overhead functions to the primary combat missions and support policies, and (iii) the manpower required to be stationed or assigned to duty in foreign countries and aboard vessels located outside the territorial limits of the United States, its territories, and possessions.

"(d)(1) Congress shall authorize the average military training student loads for each component of the armed forces. Such authorization is not required for unit or crew training student loads, but is required for student loads for the following individual training categories—

"(A) recruit and specialized training;

"(B) flight training;

"(C) professional training in military and civilian institutions; and

"(D) officer acquisition training.

No funds may be appropriated for any fiscal year for training military personnel in the training categories described in clauses (A)–(D) of any component of the armed forces unless the average student load of that component for that fiscal year has been authorized by law.

"(2) The Secretary of Defense shall submit to Congress a written report, not later than March 1 of each fiscal year, recommending the average student load for each category of training for each component of the armed forces for the next three fiscal years, and shall include in that report justification for, and explanation of, the average student loads recommended.

"§ 139. Secretary of Defense: Weapons development and procurement schedules for armed forces; reports; supplemental reports

"(a) The Secretary of Defense shall submit to Congress each calendar year, at the same time the President submits the budget to Congress under section 11 of title 31, a written report regarding development and procurement schedules for each weapon system for which fund authorization is required by section 138(a) of this title, and for which any funds for procurement are requested in that budget. The report shall include data on operational testing and evaluation for each weapon system for which funds for procurement are requested (other than funds requested only for the procurement of units for operational testing and evaluation, or long lead-time items, or both). A weapon system shall also be included in the annual report required under this subsection in each year thereafter until procurement of that system has been completed or terminated, or the Secretary of Defense certifies, in writing, that such inclusion would not serve any useful purpose and gives his reasons therefor.

"(b) The Secretary of Defense shall submit a supplemental report to Congress not less than thirty, or more than sixty, days before the award of any contract, or the exercise of any option in a contract, for the procurement of any such weapon system (other than procurement of units for operational testing and evaluation, or long lead-time items, or both), unless—

"(1) the contractor or contractors for that system have not yet been selected and the Secretary of Defense determines that the submission of that report would adversely affect the source selection process and notifies Congress in writing, prior to such award, of that determination, stating his reasons therefor; or

"(2) the Secretary of Defense determines that the submission of that report would otherwise adversely affect the vital security interests of the United States and notifies Congress in writing of that determination at least thirty days prior to the award, stating his reasons therefor.

"(c) Any report required to be submitted under subsection (a) or (b) shall include detailed and summarized information with respect to each weapon system covered, and specifically include, but not be limited to—

"(1) the development schedule, including estimated annual costs until development is completed;

"(2) the planned procurement schedule, including the best estimate of the Secretary of Defense of the annual costs and units to be procured until procurement is completed; and

"(3) to the extent required by the second sentence of subsection (a), the result of all operational testing and evaluation up to the time of the submission of the report, or, if operational testing and evaluation has not been conducted, a statement of the reasons therefor and the results of such other testing and evaluation as has been conducted.

"(d) In the case of any weapon system for which procurement funds have not been previously requested and for which funds are first requested by the President in any fiscal year after the Budget for that fiscal year has been submitted to Congress, the same reporting requirements shall be applicable to that system in the same manner and to the same extent as if funds had been requested for that system in that budget."

(b) The following laws are repealed:

(1) section 412 of the Act of August 10, 1959, Public Law 86–149 (73 Stat. 322), as amended by section 2 of the Act of April 27, 1962, Public Law 87–436 (76 Stat. 55); section 610 of the Act of November 7, 1963, Public Law 88–174 (77 Stat. 329); section 304 of the Act of June 11, 1965, Public Law 89–37 (79 Stat. 128); section 6 of the Act of December 1, 1967, Public Law 90–168 (81 Stat. 526); section 405 of the Act of November 19, 1969, Public Law 91–121 (83 Stat. 207); sections 505 and 509 of the Act of October 7, 1970, Public Law 91–441 (84 Stat. 912, 913); section 701 of the Act of September 28, 1971, Public Law 92–129 (85 Stat. 362); and sections 302 and 604 of the Act of September 26, 1972, Public Law 92–436 (86 Stat. 736, 739); and

(2) section 506 of the Act of November 17, 1971, Public Law 92–156 (85 Stat. 429).

SEC. 804. Section 3(b) of Public Law 92–425 (86 Stat. 711) is amended by—

(1) striking out in the first sentence "before the first anniversary of that date" and inserting in lieu thereof "at any time within eighteen months after such date", and

(2) striking out in the second sentence "before the first anniversary of" and inserting in lieu thereof "at any time within eighteen months after".

SEC. 805. Notwithstanding any other provision of law, no funds authorized to be appropriated by this or any other Act may be obligated or expended for the purpose of carrying out directly or indirectly any economic or military assistance for or on behalf of North Vietnam unless specifically authorized by Act of Congress enacted after the date of the enactment of this Act.

SEC. 806. (a) The first section of the Act entitled "An Act to authorize the making,

amendment, and modification of contracts to facilitate the national defense", approved August 28, 1958 (72 Stat. 972; 50 U.S.C. 1431), is amended by adding at the end of the following: "The authority conferred by this section may not be utilized to obligate the United States in any amount in excess of $25,000,000 unless the Committees on Armed Services of the Senate and the House of Representatives have been notified in writing of such proposed obligation and 60 days of continuous session of Congress have expired following the date on which such notice was transmitted to such Committees and neither House of Congress has adopted, within such 60-day period, a resolution disapproving such obligation. For purposes of this section, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of such 60-day period."

(b) (1) The second sentence of section 302 of the Defense Production Act of 1950 (50 App. U.S.C. 2092) is amended by inserting "(1)" immediately after "except that" and by striking out the period at the end of such section and inserting in lieu thereof a comma and the following: "and (2) no such loan may be made in an amount in excess of $25,000,000 unless the Committees on Armed Services of the Senate and the House of Representatives have been notified in writing of such proposed loan and 60 days of continuous session of Congress have expired following the date on which such notice was transmitted to such Committees and neither House of Congres has adopted, within such 60-day period, a resolution disapproving such loan."

(2) Section 302 of such Act is further amended by adding at the end thereof a new sentence as follows: "For purposes of this section, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of such 60-day period."

(c) Section 2307 of title 10, United States Code, is amended by adding at the end thereof a new subsection as follows:

"(d) Payments under subsection (a) in the case of any contract, other than partial, progress, or other payments specifically provided for in such contract at the time such contract was initially entered into, may not exceed $25,000,000 unless the Committees on Armed Services of the Senate and the House of Representatives have been notified in writing of such proposed payments and 60 days of continuous session of Congress have expired following the date on which such notice was transmitted to such Committees and neither House of Congress has adopted, within such 60-day period, a resolution disapproving such payments. For purposes of this section, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of such 60-day period."

(d) (1) Section 18(a) of the Military Selective Service Act (50 U.S.C. App. 468) is amended by inserting before the period at the end of the first sentence a comma and the following: "except that no order which requires payments thereunder in excess of $25,000,000 shall be placed with any person, unless the Committees on Armed Services of the Senate and the House of Representatives have been notified in writing of such proposed order and 60 days of continuous session of Congress have expired following the date on which such notice was transmitted to such Committees and neither House of Congress has adopted, within such 60-day period, a resolution disapproving such order."

(2) Section 18(a) of such Act is further amended by inserting after the first sentence thereof a new sentence as follows: "For purposes of the preceding sentence, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of such 60-day period."

(e) The amendments made by this section shall not affect the carrying out of any contract, loan, guarantee, commitment, or other obligation entered into prior to the date of enactment of this section.

SEC. 807. None of the funds authorized for appropriation to the Department of Defense pursuant to this Act shall be obligated under a contract entered into after the date of enactment of this Act under any multiyear procurement as defined in section 1-322 of the Armed Services Procurement Regulations (as in effect on September 26, 1972) where the cancellation ceiling for such procurement is in excess of $5,000,000.

SEC. 808. The National Industrial Reserve Act of 1948 (62 Stat. 1225; 50 U.S.C. 451) is amended to read as follows: "That this Act may be cited as the 'Defense Industrial Reserve Act'.

"CONGRESSIONAL DECLARATION OF PURPOSE AND POLICY

"SEC. 2. In enacting this Act, it is the intent of Congress (1) to provide a comprehensive and continuous program for the future safety and for the defense of the United States by providing adequate measures whereby an essential nucleus of Government-owned industrial plants and an industrial reserve of machine tools and other industrial manufacturing equipment may be assured for immediate use to supply the needs of the Armed Forces in time of national emergency or in anticipation thereof; (2) that such Government-owned plants and such reserve shall not exceed in number or kind the minimum requirements for immediate use in time of national emergency, and that any such items which shall become excess to such requirements shall be disposed of as expeditiously as possible; (3) that to the maximum extent practicable, reliance will be placed upon private industry for support of defense production; and (4) that machine tools and other industrial manufacturing equipment may be held in plant equipment packages or in a general reserve to maintain a high state of readiness for production of critical items of defense materiel, to provide production capacity not available in private industry for defense materiel, or to assist private industry in time of national disaster.

"DEFINITIONS

"SEC. 3. As used in this Act—

"(1) The term 'Secretary' means Secretary of Defense.

"(2) The term 'Defense Industrial Reserve' means (A) a general reserve of industrial manufacturing equipment, including machine tools, selected by the Secretary of Defense for retention for national defense or for other emergency use; (B) those industrial plants and installations held by and under the control of the Department of Defense in active or inactive status, including Government-owned/Government-operated plants and installations and Government-owned/contractor-operated plants and installations which are retained for use in their entirety, or in part, for production of military weapons systems, munitions, components, or supplies; (C) those industrial plants and installations under the control of the Secretary which are not required for the immediate need of any department or agency of the Government and which should be sold, leased, or otherwise disposed of.

"(3) The term 'plant equipment package' means a complement of active and idle machine tools, and other industrial manufacturing equipment held by and under the control of the Department of Defense and approved by the Secretary for retention to produce particular defense materiel or defense supporting items at a specific level of output in the event of emergency.

"DUTIES OF THE SECRETARY

"SEC. 4. To execute the policy set forth in this Act, the Secretary is authorized and directed to—

"(1) determine which industrial plants and installations (including machine tools and other industrial manufacturing equipment) should become a part of the defense industrial reserve;

"(2) designate what excess industrial property shall be disposed of;

"(3) establish general policies and provide for the transportation, handling, care, storage, protection, maintenance, repair, rebuilding, utilization, recording, leasing and security of such property;

"(4) direct the transfer without reimbursement of such property to other Government agencies with the consent of such agencies;

"(5) direct the leasing of any of such property to designated lessees;

"(6) authorize the disposition in accordance with existing law of any of such property when in the opinion of the Secretary such property is no longer needed by the Department of Defense; and

"(7) authorize and regulate the lending of any such property to any nonprofit educational institution or training school whenever (A) the program proposed by such institution or school for the use of such property will contribute materially to national defense, and (B) such institution or school shall by agreement make such provision as the Secretary shall deem satisfactory for the proper maintenance and care of such property and for its return, without expense to the Government, upon request of the Secretary.

"REPORTS TO CONGRESS

"SEC. 5. The Secretary shall submit to the Congress on or before April 1 of each year a report detailing the action taken under this Act and containing such other pertinent information regarding the status of the defense industrial reserve as will enable the Congress to evaluate the administration of such reserve and the necessity or desirability for any legislative action regarding such reserve.

"AUTHORIZATIONS FOR APPROPRIATIONS

"SEC. 6. There are authorized to be appropriated such sums as the Congress may from time to time determine to be necessary to enable the Secretary to carry out the provisions of this Act.".

SEC. 809. (a) The Secretary of Defense is authorized and directed to carry out a comprehensive study and investigation to determine the relative status of the Air Force Reserve and the Air National Guard of the United States. In carrying out such study and investigation the Secretary shall quantitatively measure the effects on full costs and on combat capability and readiness, as well as enumerate the military and other advantages and disadvantages of at least the following alternatives: (1) merging the Air Force Reserve into the Air National Guard structure; (2) merging the Air National Guard into the Air Force Reserve structure; and (3) retaining both the Air Force Reserve and the Air National Guard. Such study shall also consider and give equal weight to the modernization needs of the Air National Guard and the Air Force Reserve, including: (1) aircraft; (2) ground equipment; (3) facilities; (4) communication, and (5) other pertinent needs. It shall also consider the related problems of recruiting, training and retaining sufficient manpower of needed quality to man the authorized units.

(b) The Secretary of Defense shall submit to the President and the Congress a detailed report of such study and investigation not later than January 31, 1975. The Secretary

shall include in such report a complete evaluation of each of the alternatives specified in subsection (a) above, and a detailed explanation of the facts and information which serve as the basis for any conclusions stated therein, and shall also include in such report such recommendations for legislative action as he deems appropriate.

Sec. 810. The Congress finds that the Department of Defense, which will use, at its present rate of consumption, an estimated twelve billion gallons of petroleum products in 1973, is one of the largest single consumers of petroleum products in the world, and that a reduction in consumption of such products by the Department of Defense would aid materially in meeting the energy shortages which the United States now faces. It is, therefore, declared to be the sense of the Congress that the Department of Defense should implement a 10 per centum reduction of its consumption of petroleum products except where such a reduction would adversely affect the national security or essential training exercises.

SEC. 811. (a) The Congress finds that in order to achieve a more equitable sharing of the costs and expenses arising from commitments and obligations under the North Atlantic Treaty, the President should seek, through appropriate bilateral and multilateral arrangements, payments sufficient in amount to offset fully any balance-of-payment deficit incurred by the United States during the fiscal year ending June 30, 1974, as the result of the deployment of forces in Europe in fulfillment of the treaty commitments and obligations of the United States. This balance-of-payment deficit shall be determined by the Secretary of Commerce in consultation with the Secretary of Defense and the Comptroller General of the United States.

(b) In the event that the North Atlantic Treaty Organization members (other than the United States) fail to offset the net balance-of-payment deficit described in subsection (a) prior to the expiration of eighteen months after the date of enactment of this section, no funds may be expended after the expiration of twenty-four months following the date of enactment of this section for the purpose of maintaining or supporting United States forces in Europe in any number greater than a number equal to the average monthly number of United States forces assigned to duty in Europe during the fiscal year ending June 30, 1974, reduced by a percentage figure equal to the percentage figure by which such balance-of-payment deficit during such fiscal year was not offset.

(c) The Congress further finds (1) that the other members of the North Atlantic Treaty Organization should, in order to achieve a more equitable sharing of the cost burden under the treaty, substantially increase their contributions to assist the United States in meeting those added budgeting expenses incurred as the result of maintaining and supporting United States forces in Europe, including, but not limited to, wages paid to local personnel by the United States, recurring expenses incurred in connection with the maintenance and operation of real property, maintenance facilities, supply depots, cold storage facilities, communications systems, and standby operations, and nonrecurring expenses such as the construction and rehabilitation of plants and facilities; (2) that the amount paid by the United States in connection with the North Atlantic Treaty infrastructure program should be reduced to a more equitable amount; and (3) that the President should seek, through appropriate bilateral and multilateral arrangements, a substantial reduction of the amounts paid by the United States in connection with those matters described in (1) and (2) above.

(d) The President shall submit to the Congress within ninety days after the date of enactment of this Act, and at the end of each ninety-day period thereafter, a written report informing the Congress of the progress that has been made in implementing the provisions of this section.

SEC. 812. (a) No funds authorized to be appropriated by this Act may be obligated under a contract entered into by the Department of Defense after the date of the enactment of this Act for procurement of goods which are other than American goods unless, under regulations of the Secretary of Defense and subject to the determinations and exceptions contained in title III of the Act of March 3, 1933, as amended (47 Stat. 1520; 41 U.S.C. 10a, 10b), popularly known as the Buy American Act, there is adequate consideration given to—

(1) the bids or proposals of firms located in labor surplus areas in the United States as designated by the Department of Labor which have offered to furnish American goods;

(2) the bids or proposals of small business firms in the United States which have offered to furnish American goods;

(3) the bids or proposals of all other firms in the United States which have offered to furnish American goods;

(4) the United States balance of payments;

(5) the cost of shipping goods which are other than American goods; and

(6) any duty, tariff or surcharge which may enter into the cost of using goods which are other than American goods.

(b) For purposes of this section, the term "goods which are other than American goods" means (1) an end product which has not been mined, produced, or manufactured in the United States, or (2) an end product manufactured in the United States but the cost of the components thereof which are not mined, produced, or manufactured in the United States exceeds the cost of components mined, produced, or manufactured in the United States.

SEC. 813. (a) Chapter 157 of title 10, United States Code, is amended by adding at the end thereof a new section as follows:

"§ 2635. Medical emergency helicopter transportation assistance and limitation of individual liability.

"(a) The Secretary of Defense is authorized to assist the Department of Health, Education, and Welfare and the Department of Transportation in providing medical emergency helicopter transportation services to civilians. Any resources provided under this section shall be under such terms and conditions, including reimbursement, as the Secretary of Defense deems appropriate and shall be subject to the following specific limitations:

"(1) Assistance may be provided only in areas where military units able to provide such assistance are regularly assigned, and military units shall not be transferred from one area to another for the purpose of providing such assistance.

"(2) Assistance may be provided only to the extent that it does not interfere with the performance of the military mission.

"(3) The provision of assistance shall not cause any increase in funds required for the operation of the Department of Defense.

"(b) No individual (or his estate) who is authorized by the Department of Defense to perform services under a program established pursuant to subsection (a), and who is acting within the scope of his duties, shall be liable for injury to, or loss of property or personnel injury or death which may be caused incident to providing such services."

(b) The table of sections at the beginning of chapter 157 of title 10, United States Code, is amended by adding at the end thereof the following new item:

"2635. Medical emergency helicopter transportation assistance and limitation on individual liability.".

SEC. 814. In recognition of the vital contribution of Vice Admiral Hyman G. Rickover (United States Navy, retired) to our national defense and in special recognition of his invaluable guidance, initiative, and perseverance in developing the nuclear submarine, the President is authorized to appoint the said Hyman G. Rickover to the grade of admiral on the retired list with all the rights, privileges, benefits, pay and allowances provided by law for officers appointed to such grade.

SEC. 815. Notwithstanding any other provision of law, the authority provided in section 501 of the Defense Procurement Act of 1970, Act of October 7, 1970, Public Law 91-441 (84 Stat. 909) is hereby extended until December 31, 1975.

SEC. 816. (a) Title 10, United States Code, is amended by adding the following new section at the end of chapter 101:

"§ 2004. Detail of commissioned officers of the military departments as students at law schools

"(a) The Secretary of each military department may, under regulations prescribed by the Secretary of Defense, detail commissioned officers of the armed forces as students at accredited law schools, located in the United States, for a period of training leading to the degree of bachelor of laws or juris doctor. No more than twenty-five officers from each military department may commence such training in any single fiscal year.

"(b) To be eligible for detail under subsection (a), an officer must be a citizen of the United States and must—

"(1) have served on active duty for a period of not less than two years nor more than six years and be in the pay grade O–3 or below as of the time the training is to begin; and

"(2) sign an agreement that unless sooner separated he will—

"(A) complete the educational course of legal training;

"(B) accept transfer or detail as a judge advocate or law specialist within the department concerned when his legal training is completed; and

"(C) agree to serve on active duty following completion or other termination of training for a period of two years for each year or part thereof of his legal training under subsection (a).

"(c) Officers detailed for legal training under subsection (a) shall be selected on a competitive basis by the Secretary of the military department concerned, under regulations prescribed by the Secretary of Defense. Any service obligation incurred by an officer under an agreement entered into under subsection (b) shall be in addition to any service obligation incurred by any such officer under any other provision of law or agreement.

"(d) Expenses incident to the detail of officers under this section shall be paid from any funds appropriated for the military department concerned.

"(e) An officer who, under regulations prescribed by the Secretary of Defense, is dropped from the program of legal training authorized by subsection (a) for deficiency in conduct or studies, or for other reasons, may be required to perform active duty in an appropriate military capacity in accordance with the active duty obligation imposed by regulations issued by the Secretary of Defense, except that in no case shall any such member be required to serve on active duty for any period in excess of one year for each year or part thereof he participated in the program.

"(f) No agreement detailing any officer of the armed forces to an accredited law school may be entered into during any period that the President is authorized by law to induct persons into the armed forces involuntarily. Nothing in this subsection shall affect any agreement entered into during any period when the President is not authorized by law to so induct persons into the armed forces."

(b) The table of contents of chapter 101

of title 10, United States Code, is amended by adding the following new item at the end thereof:

"2004. Detail of commissioned officers of the military departments as students at law schools.".

PUBLIC HEALTH SERVICES HOSPITALS

SEC. 817. (a) Except as provided in subsection (b), the Secretary of Health, Education, and Welfare shall take such action as may be necessary to assure that the hospitals of the Public Health Service, located in Seattle, Washington, Boston, Massachusetts, San Francisco, California, Galveston, Texas, New Orleans, Louisiana, Baltimore, Maryland, Staten Island, New York, and Norfolk, Virginia, shall continue—

(1) in operation as hospitals of the Public Health Service,

(2) to provide for all categories of individuals entitled or authorized to receive care and treatment at hospitals or other stations of the Public Health Service inpatient, outpatient, and other health care services in like manner as such services were provided on January 1, 1973, to such categories of individuals at the hospitals of the Public Health Service referred to in the matter preceding paragraph (1) and at a level and range at least as great as the level and range of such services which were provided (or authorized to be provided) by such hospitals on such date, and

(3) to conduct at such hospitals a level and range of other health-related activities (including training and research activities) which is not less than the level and range of such activities which were being conducted on January 1, 1973, at such hospitals.

(b) (1) The Secretary may—

(A) close or transfer control of a hospital of the Public Health Service to which subsection (a) applies.

(B) reduce the level and range of health care services provided at such a hospital from the level and range required by subsection (a) (2) or change the manner in which such services are provided at such a hospital from the manner required by such subsection, or

(C) reduce the level and range of the other health-related activities conducted at such hospital from the level and range required by subsection (a) (3),

if Congress by law (enacted after the date of the enactment of this Act) specifically authorizes such action.

(2) Any recommendation submitted to the Congress for legislation to authorize an action described in paragraph (1) with respect to a hospital of the Public Health Service shall be accompanied by a copy of the written, unqualified approval of the proposed action submitted to the Secretary by each (A) section 314(a) State health planning agency whose section 314(a) plan covers (in whole or in part) the area in which such hospital is located or which is served by such hospital, and (B) section 314(b) areawide health planning agency whose section 314(b) plan covers (in whole or in part) such area.

(3) For purposes of this subsection, the term "section 314(a) State health planning agency" means the agency of a State which administers or supervises the administration of a State's health planning functions under a State plan approved under section 314(a) of the Public Health Service Act (referred to in paragraph (2) as a "section 314(a) plan"); and the term "section 314(b) areawide health planning agency" means a public or nonprofit private agency or organization which has developed a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314 (b) of that Act (referred to in paragraph (2) as a "section 314(b) plan").

(c) Section 3 of the Emergency Health Personnel Act Amendments of 1972 is repealed.

SEC. 818. This Act may be cited as the "Department of Defense Appropriation Authorization Act, 1974".

And the Senate agree to the same.

F. EDW. HÉBERT,
MELVIN PRICE,
O. C. FISHER,
CHARLES E. BENNETT,
SAMUEL S. STRATTON,
WILLIAM G. BRAY,
L. C. ARENDS,
CHARLES S. GUBSER,
Managers on the Part of the House.

JOHN C. STENNIS,
STUART SYMINGTON,
HENRY M. JACKSON,
HOWARD W. CANNON,
THOMAS J. MCINTYRE,
HARRY F. BYRD, Jr.,
STROM THURMOND,
JOHN TOWER,
PETER H. DOMINICK,
BARRY GOLDWATER,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H.R. 9286, an act to authorize appropriations during the fiscal year 1974 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each reserve component of the Armed Forces, and the military training student loads, and for other purposes, submit the following joint statement to the House and to the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

TITLE I—PROCUREMENT

Aircraft

Army

U–21 utility transport

The House bill contained an authorization of $12.2 million for the procurement of twenty U–21 aircraft for the Army.

The Senate deleted the request in its entirety. The Senate pointed out that the Army had not utilized the authorization previously provided in fiscal year 1973 for the procurement of twenty of these aircraft. The failure of the Army to utilize this authority was the result of the inability of the Army and Air Force to enter into a common procurement of a single aircraft as directed by the House-Senate conferees on H.R. 15495, the fiscal year 1973 authorization legislation, PL 92–436.

The House conferees, after considerable discussion, receded from the House position and agreed to deny the Army its request for additional aircraft in fiscal year 1974. However, with respect to the twenty utility aircraft of the Army and the fourteen utility aircraft of the Air Force approved by the Congress for fiscal year 1973, the Conference Committee direct that the Army and Air Force enter into a joint procurement for these thirty-four aircraft; that the bid proposals be limited to turboprop aircraft only; and that the performance requirements of the selected aircraft be such so as to satisfy the needs of both the Army and the Air Force.

Aircraft spares

The House authorized $25.1 million for aircraft spares while the Senate reduced this figure by $800,000 for an authorization of $24.3 million.

The House recedes.

Navy and Marine Corps

EA–6B electronic warfare aircraft

The House bill authorized $116.6 million for the procurement of six aircraft.

The Senate also authorized the procurement of six aircraft at a reduced figure of $101.6 million, a reduction of $15 million.

The Department of the Navy acknowledged that it could accept $10 million of the $15 million cut. However, the Senate conferees insisted that their reduction would not adversely affect the procurement of these aircraft. Therefore, the $5 million restoration was denied. The amount authorized is $101.6 million.

The House recedes.

A–7E attack aircraft

The House authorized the procurement of forty-two of these aircraft at a cost of $166.9 million.

The Senate reduced the DOD procurement request for forty-two aircraft to $152.1 million.

The House recedes.

AV–8A/STOL aircraft

The House authorized the procurement of twelve of these aircraft at a cost of $43.3 million.

The Senate similarly authorized the procurement of twelve of these aircraft, however, with a reduction of $6 million in the authorization requested because of a change to a less costly avionics system.

The Department of Defense advised that it could effect the procurement at the reduced figure but stated that since the $6 million savings applies to total AV–8A/TAV–8A funding rather than the AV–8A only, the reduction should be adjusted to affect both programs.

The conferees have no objection to an appropriate transfer of funds between the respective programs to compensate for the increased costs in one and the decreased cost in the other

The House recedes.

F–14A fighter aircraft

The House bill contained an authorization of $703 million for procurement of 50 F–14A aircraft. The Senate bill provided $693.1 million for the procurement of 50 F–14A aircraft, a reduction of $9.9 million. In addition, the Senate bill contained language specifying that the $693.1 million was to be available for an F–14 program of not less than 50 aircraft subject to no increase in the ceiling price of $325 million specified in the F–14 contract except between the Navy and the primary air frame contractor for increases related to normal technical changes.

The House conferees recede with an amendment revising the restrictive language of the Senate bill to read as follows: "subject to no increase being made in the ceiling price of $325,000,000 specified in the FY 1974 F–14 contract between the Navy and the primary airframe contractor, except in accordance with the terms of such contract, including the clause providing for normal technical changes"

The purpose of this language was to ensure that the maximum liability to the government not exceed the ceiling price of $325 million set forth in the FY 74 F–14 contract between the Navy and the Grumman Aircraft Corporation. The conferees agreed to the revised language which is the same phraseology employed in the FY 73 authorization.

T–2C trainer aircraft

The House had approved the procurement of twenty-four T–2C trainer aircraft at a cost of $32.5 million.

The Senate had reduced the authorization amount to $6,400,000. The Senate in recognition that the Navy, based on approved pilot training loads, has insufficient aircraft to meet training requirements, and the Air Force has excess trainer aircraft, recommended that alternatives to additional T–2C

aircraft procurement be fully explored by Defense.

The House conferees pointed out that although some excess Air Force T–38 aircraft could be made available for this purpose, these aircraft can not effectively fill the role in Navy jet pilot training since they were not carrier suitable; they are not compatible with naval air station emergency arresting gear; and they are not stressed for high sink rate landings required in Navy training.

The Senate agreed to recede from its position but in doing so received the support of the House conferees in directing that total defense pilot requirements and training rates, together with assets available to meet pilot training requirements, should be comprehensively reviewed prior to submitting any additional requests for training aircraft. The authorization approved is $32.5 million.

Air Force

A–7D attack aircraft

The Senate bill contained $70,100,000 for the procurement of twenty-four A–7D aircraft for the purpose of further modernization of the Air National Guard and continuing the production of these aircraft pending a flyoff between the A–7D and A–10 aircraft.

There was no similar provision in the House bill.

The House recedes from its position and accepts the Senate authorization.

A–10 (AX) advance procurement

The House bill contained $30 million for long lead time items and advance procurement for the A–10 aircraft and $112,400,000 for RDT&E for four R&D funded aircraft.

The Senate bill contained no procurement money and reduced the authorization for RDT&E to $92,400,000, a reduction of $20 million.

After considerable discussion, the conferees agreed to accept the Senate deletion of $30 million for advance procurement of the A–10 aircraft but agreed to restore $15 million of the $20 million reduction in the RDT&E account. The $15 million will permit the complete funding for the first six development aircraft but no funds are provided for the additional four test aircraft originally contemplated in the program.

The House, therefore, recedes to the Senate position on the denial of $30 million for advance procurement of long lead time items for the A–10.

F–111

Both the House and Senate bills contained authorization for the procurement of 12 F–111F aircraft in FY 74. The House bill contained $172.7 million and the Senate bill contained $158.8 million, a difference of $13.9 million. The House bill also contained language to ensure that the funds could only be used for the stated purpose of procuring 12 F–111F aircraft. The reduced figure in the Senate bill is accounted for principally by the fact that the Senate stated that the $13.9 million is "start-up cost incurred because the $30 million in long lead funds authorized last year by Congress were not placed under contract in time to prevent a gap in the F–111 production." The DOD reclama agreed that the Senate figure was adequate to fund 12 aircraft and the House conferees, therefore, recede on the dollar authorization. The Senate conferees recede on the House language.

F–5A

The Senate reduced the Air Force procurement request for 116 F–5As from $69.3 million to $28.3 million. The House had authorized the entire amount as requested by the Department of Defense.

The reduction of the Senate of $41 million was based on the consideration that these funds had already been provided by the Military Assistance Program (MAP) and new funding for the Air Force was not required.

The Conferees agreed that the $41 million should be authorized for reimbursement of the MAP account but that new funding was not required. The Senate recedes to the House, with an amendment.

F–15

The Department of Defense requested $918,500,000 for the procurement of seventy-seven F–15 aircraft together with associated spares $801.9 million plus $116.6 million).

The House authorized the procurement of thirty-nine of these aircraft at a total cost of $587,600,000 ($511.8 plus $75.8 million). The Senate approved the total request of the Department.

The reduction effected by the House was occasioned by its concern over the failure of the F–100 engine for this aircraft to satisfactorily complete its Military Qualification Test. The Senate fully funded the program noting the successful flight test program and the two year time period until this year's aircraft will be delivered.

The Department of Defense urged the conferees to accept the Senate action maintaining that the action taken by the House was not justified either for purposes of economy or for purposes of slowing down the F–15 program until the MQT is successfully accomplished. The Department of Defense maintained that the 50 percent reduction made by the House would very substantially increase the total cost of the program. If the F–100 engine does not satisfactorily complete the forthcoming endurance test, Defense points out that the Air Force would be required to make appropriate program adjustments which would necessarily be much earlier than that which would otherwise result from the proposed House program reduction.

In view of the assurance by the Department of Defense that the F–15 program is proceeding satisfactorily and that acceptance of the House action would not achieve the purpose desired by its proponents, that is, economy and prudence in the pace of the program, the House conferees recede from their position and accept the Senate amendment.

UH–1H helicopter

The House had approved the department's request for $96.7 million for the procurement of 308 UH–1H helicopters.

The Senate reduced this procurement authorization to $56.5 million for the procurement of 180 helicopters. The reduction was to defer procurement of 128 of the requested 308 helicopters until FY 1975.

The House recedes from its position and accepts the Senate amendment.

Aircraft modifications

The Senate reduced two items in the Air Force's aircraft modifications request for fiscal year 1974. These included B–52 modifications for which the Air Force requested $238.5 million and operational necessity modifications for which the Air Force requested $20 million.

The Senate reduced the B–52 modifications request to $223 million and eliminated entirely the $20 million requested for operational necessity modifications, a net reduction by the Senate of $35.5 million. The House authorized the full amount.

After considerable discussion in which the Senate conferees pointed out that the modification program had been delayed and that the funds authorized would be adequate for fiscal year 1974, the House conferees receded and accepted the Senate amendment.

Aircraft spares (C–130E)

The House bill fully funded the department's request for $11.6 million for aircraft spares.

The Senate reduced this authorization to $2.3 million.

The department accepted the Senate reduction.

The House recedes from its position.

Common ground equipment

The House authorized the $82 million requested by the department for common ground equipment.

The Senate reduced this figure by $5.5 million because the request for $5.5 million for undergraduate pilot training instrument flight simulators was not a formal amendment to the authorization request and had not, as a procurement program, received Department of Defense approval.

Subsequent to the Senate action, the department officially requested restoration of $5.5 million to allow a FY 1974 contract award for the first simulator complex to be installed at Reese Air Force Base, Texas.

The House conferees receded from their position and accepted the Senate reduction with the stipulation that the department should go forward with the procurement of equipment for the simulator complex at Reese Air Force Base from within the authorization provided.

Missiles

Army

Lance missile

The House approved $83.7 million requested by the department for the Lance missile. The Senate reduced this authorization to $79 million, a reduction of $4.7 million, on the grounds that the deleted funds were not required in FY 1974.

The House recedes and accepts the Senate amendment.

Pershing missile

The House authorized $53.8 million as requested by the department. The Senate reduced this figure to $49.3 million, a reduction of $4.5 million.

The House conferees recede and accept the Senate change.

AN/TSQ Air Defense Command and Control

The House authorized $10.5 million as requested by the department. The Senate reduced this authorization to $6.2 million, a reduction of $4.3 million.

The Senate action would have denied funding authority to provide the first production option on the system on the theory that sufficient testing had not been accomplished to warrant beginning production in this fiscal year.

The Army advised that sufficient testing will be accomplished early in FY 1974 to provide sufficient information for a decision to enter into limited procurement.

The Senate recedes from its position and accepts the House authorization of $10.5 million.

Navy

Poseidon missile (UGM–73A)

The House authorized $211 million as requested by the department of the Navy. The Senate reduced this authorization by $35.6 million to defer the procurement of a number of missiles from FY 1974 until FY 1975.

The department accepted the deferral of the procurement of these missiles that were to be used in the operational testing program but requested restoration of $29.6 million of these funds to provide for modification work to improve system reliability.

The Senate conferees agreed to restore $29.6 million for modification works to improve system reliability and to defer procurement of missiles as provided in the Senate position. The authorization agreed upon by the conferees is $205 million.

Sidewinder (AIM–9H)

The House authorized $16.3 million as requested by the department. The Senate reduced this authorization request by $1.5 million.

The House recedes and accepts the Senate amendment.

Harpoon (AGM–84A)

The House authorized $19 million as requested by the department for advance procurement. However, the Senate reduced the

Harpoon request by $4.9 million to keep the initial production rate low on the Harpoon until operational testing verifies the production design.

The House recedes and accepts the Senate amendment.

Bulldog (AGM–87A)

The Senate recommended $12.5 million for the Navy to begin production of the Bulldog close support missile with laser guidance.

The House bill had no similar provision.

The House recedes and accepts the Senate amendment with an amendment, reducing this authorization to $12.4 million.

Air Force

Minuteman III (LGM–30)

The House authorized $401.2 million as requested by the department. The Senate authorized $355.4 million, a reduction of $45.8 million. The reduction made by the Senate was to maintain the same production rate as last year.

The House recedes and accepts the Senate reduction.

Shrike (AGM–45A)

The House authorized the $11 million requested by the department for this program. The Senate reduced this authorization to $8.8 million. The Senate pointed out that $2.2 million was found not to be required until FY 1975.

The House recedes and accepts the Senate amendment.

Maverick (AGM–65A)

The House authorized $107.1 million as requested by the department. The Senate reduced this authorization to $97.2 million, a reduction of $9.9 million.

The Senate recedes from its reduction and accepts the House position.

SRAM (AGM–69A)

The House authorized $136.7 million as requested by the department. The Senate reduced this authorization to $131.1 million, a reduction of $5.6 million.

The House recedes from its position and accepts the Senate amendment.

Naval Vessels

DLGN nuclear frigate, advance procurement

The House authorized advance procurement funds in the amount of $79 million to provide long-lead time items for the nuclear frigates DLGN–41 and DLGN–42.

The Senate bill contained no similar authorization.

The House conferees pointed out that the Department of Defense acknowledged the requirement for additional nuclear frigates in the Navy's fleet air defense ship inventory. These ships were not included in the department's FY 1974 budget request because of fiscal constraints. The House conferees strongly believe that the four nuclear-powered carriers provided to the Navy by the Congress should have a minimum of 16 nuclear-powered frigates to use as escorts. Presently there are two commissioned frigates, two frigates nearing completion, and three more under contract. With the addition of the two new frigates authorized in this bill there will be a total of nine nuclear-powered frigates in the U.S. Navy.

The Senate recedes from its position and accepts the House authorization. In addition, the Senate accepted the restrictive language providing that the $79 million could be used only for the procurement of long-lead time items for the DLGN–41 and the DLGN–42. That language further provided that contracts for these long-lead time items shall be entered into as soon as practicable unless the President fully advises the Congress that the construction of these naval vessels is not in the national interest.

Sea control ship (SCS), advance procurement

The House authorized the $29.3 million request by the department for advance procurement for this new type naval vessel. The Senate denied this request in its entirety since it had reservations concerning the validity of the concept.

The House conferees pointed out that the Navy has just recently completed a series of tests on board the USS GUAM (LPH–9) which have proven that the concept of the sea control ship is, in fact, practical and is a cost-effective way of providing antisubmarine warfare protection for ship convoys.

The Senate recedes and accepts the House action.

Poseidon (SSBN) conversions

The House authorized $79.9 million for SSBN Poseidon conversions. The Department of the Navy maintained that this amount is insufficient for the conversion of the two ships scheduled in the FY 1974 program.

The Senate authorized $116.2 million for this purpose, which the Navy advises will be adequate for the scheduled conversion program for these vessels in FY 1974.

The House, therefore, recedes and accepts the Senate amendment.

Guided missile frigate (DLG) conversions

The House authorized $73.7 million for the modernization of two vessels, the DLG–10 and DLG–11. The Senate reduced this authorization to $58.1 million, a reduction of $15.6 million.

The Senate is of the view that these ship modernizations can be effected within the $58.1 million authorized by the Senate for FY 1974 and the $30.8 million previously provided in FY 1973.

The House recedes and accepts the Senate amendment.

Escalation

The House authorized $174 million to fund prior year contract escalation increases in the ship construction budget.

The Senate reduced this authorization to $102.1 million, pointing out that the $71.9 million reduction reflects funds that are not required for obligation during FY 1974.

The House recedes and accepts the Senate amendment.

Tracked combat vehicles

Army

M60A1 tank

The House authorized $99.4 million for the procurement of 360 M60A1 tanks as requested by the Department.

The Senate reduced this authorization to $66.4 million, a reduction of $33 million. The reduction of $33 million was designed to defer the procurement of 120 tanks. The Department pointed out that this reduction from the fiscal year 1974 procurement would adversely affect plans for modernization of the Reserve Component units.

The House conferees were adamant in their position that all of these tanks should be procured as requested by the Department in fiscal year 1974.

The Senate recedes and accepts the House position.

Torpedoes

Navy

Torpedo MK–48

The House authorized $164.3 million as requested by the Department for this program.

The Senate reduced this authorization request by $5 million. The reduction by the Senate results in a denial of $5 million requested for procurement of automatic test equipments for support of the MK–48 torpedo until such time as final decisions have been made on the number of support sites and test equipments that will actually be required to support the program.

The House recedes and accepts the Senate amendment.

Captor

The House authorized $11.6 million for this program as requested by the Department for initial production funding of the Captor system.

The Senate denied funds for this purpose in its entirety. The Senate maintained that approval of any production funding for fiscal year 1974 is not warranted in view of the current status of the development program.

The Department requested that $4.9 million of the procurement funds be restored and $6.7 million of the balance of these funds be transferred to the RDT&E account.

The Committee on Conference agreed to transfer $6.7 million to RDT&E, raising funds for the Captor system in the RDT&E account to $19,961,000. However, the House conferees agreed with the Senate position in denying any procurement funds for the system.

The House recedes from its position.

Other weapons

Army

M219, 7.62 machinegun

The House authorized $8.5 million for this program as requested by the Department.

The Senate reduced this amount by $1.3 million to an authorization figure of $7.2 million.

The House recedes from its position and accepts the Senate amendment.

M60 machinegun

The House authorized $4.5 million for this program as requested by the Department.

The Senate denied any funding for this program pointing out that these guns would be placed in storage against future allied requirements and therefore were not required.

The conferees agreed to authorize $2.7 million for this program. Therefore, the House recedes from its position with an amendment.

M16A1 rifle

The Senate had provided $4.185 million for this program; and the House had denied funding for this program.

The original Department of Defense request for this program was $3.1 million.

The Senate recedes from its position with an amendment which results in an authorization of $3.1 million with the understanding that the $3.1 million is adequate to maintain a warm production base through the 1973 funded delivery period.

Navy

MK22 machinegun

The House authorized the Department's request of $800,000 for this program and the Senate denied any funding.

The House recedes from its position and accepts the Senate amendment.

Phalanx/Vulcan (close-in weapons system)

The House authorized $13 million for this program as requested by the Department and the Senate authorized $5 million.

After the Senate action, the Department of Defense requested a total of $9 million for the program.

The conferees agreed to approve the Department's request. Therefore, both the Senate and House recede with an amendment.

TITLE II—RESEARCH, DEVELOPMENT, TEST AND EVALUATION

General

Both the House and Senate modified the Research and Development authorization requested by the Department of Defense. The departmental request totaled $8,557,900,000. The House bill authorized a total of $8,321,797,000, whereas the Senate authorization totaled $8,059,733,000. The conferees agreed on a total of $8,194,885,000. The amount agreed upon is $363,015,000 less than was requested by the Department of Defense.

The approach taken by the two Houses in reducing the Research and Development budget requests differed only in that the House applied undistributed reductions. This amounted to $36,400,000 for the Navy and $21,000,000 for Defense Agencies except for the Test and Evaluation program. The Senate made specific reductions to various program elements throughout the Research and Development budget. The individual adjustments adopted by the conferees are reflected in the following table.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

CONFERENCE ACTION

[In thousands of dollars]

Item number and program	Request	House	Senate	Difference (House-Senate)	DOD reclamation	Conference
ARMY						
1. Advanced attack helicopter	49,200	49,200	45,700	−3,500	45,700	45,700
2. Bushmaster	13,720	13,720	9,826	−3,894	9,826	9,826
3. Antitank assault weapon (TOW)	8,100	8,100	6,520	−1,580	6,520	6,520
4. Aerial scout	1,000	1,000	0	−1,000	0	0
5. Exploratory ballistic missile defense	39,300	39,300	23,900	−15,400	39,300	34,000
6. Advanced ballistic missile defense	60,700	60,700	33,700	−27,000	60,700	52,700
7. Site defense	170,000	145,000	100,000	−45,000	145,000	135,000
8. UTTAS	108,825	102,625	102,700	+75	102,625	102,625
9. Safeguard	216,000	191,000	199,700	+8,700	191,000	181,000
10. Military selection, training, and leadership	1,300	1,300	1,245	−55	1,245	1,245
11. Land warfare laboratory	5,163	5,163	5,113	−50	5,113	5,113
12. Nuclear munitions	14,498	0	6,100	+6,100	6,100	6,100
13. Advanced forward area air defense system	28,065	28,065	8,600	−19,465	15,600	11,100
14. XM198, 155 mm howitzer	5,976	0	5,976	+5,976	5,976	5,976
15. Undistributed reduction		−340		+340	0	0
Programs not in dispute	1,386,853	1,386,853	1,386,853		1,386,853	1,386,853
Total, Army	2,108,700	2,031,668	1,935,933	−95,753	2,021,558	1,983,758
NAVY						
1. CH-53E helicopter	30,000	30,000	28,800	−1,200	28,800	28,800
2. Airborne ASW developments	12,731	12,731	11,986	−745	12,731	11,986
3. Submarine silencing	8,708	8,708	8,208	−500	8,708	8,708
4. Reactor propulsion plants	7,202	7,202	6,902	−300	6,902	6,902
5. Advanced command data system	5,849	5,849	4,800	−1,049	5,849	5,849
6. A4W/A1G nuclear propulsion plant	7,534	7,534	7,250	−284	7,250	7,250
7. D2W nuclear propulsion reactor	7,202	7,202	7,000	−202	7,000	7,000
8. Advanced design submarine nuclear propulsion plant	11,700	11,700	11,600	−100	11,600	11,600
9. NATO PHM	24,000	24,000	18,830	−5,170	18,830	18,830
10. Environmental protection	9,100	9,100	8,950	−150	8,950	8,950
11. Strategic cruise missile	15,200	15,200	0	−15,200	15,200	2,500
12. Surface effect ships	72,800	72,800	60,900	−11,900	60,900	60,900
13. V/STOL for sea control ship	26,300	26,300	22,400	−3,900	26,300	24,300
14. Advanced propulsion for V/STOL	11,300	11,300	5,900	−5,400	5,900	5,900
15. Aerial target systems development	14,355	14,355	12,455	−1,900	14,355	14,355
16. AEGIS	43,134	43,134	40,134	−3,000	43,134	40,134
17. Surface-launched weaponry, systems, and technology	9,260	9,260	4,760	−4,500	9,260	4,760
18. CAPTOR	13,261	13,261	13,261	0	19,961	19,961
19. Undistributed reduction		−36,400		+36,400	−11,694	0
Programs not in dispute	2,382,064	2,382,064	2,382,064		2,382,064	2,382,064
Total, Navy	2,711,700	2,675,300	2,656,200	−19,100	2,682,000	2,670,749
AIR FORCE						
Airborne warning and control system	197,800	155,800	155,800	0	155,800	155,800
1. Missile attack assessment	10,300	10,300	6,100	−4,200	8,700	8,700
2. Minuteman	99,800	99,800	99,700	−100	99,700	99,700
3. Advanced airborne command post	37,300	37,300	33,100	−4,200	33,100	33,100
4. Advanced medium STOL transport	67,200	67,200	65,200	−2,000	65,200	65,200
5. Advanced turbofan engine	15,600	15,600	0	−15,600	0	0
6. Subsonic cruise armed decoy	72,200	22,000	0	−22,000	22,000	11,000
7. B-1 bomber	473,500	473,500	373,500	−100,000	473,500	448,500
8. A-10 (A-X)	112,400	112,400	92,400	−20,000	112,400	107,400
9. F-5E (F-5F)	2,600	2,600	16,600	+14,000	16,600	16,600
10. Close air support weapon system	8,000	8,000	0	−8,000	8,000	5,000
11. Lightweight fighter prototype	46,500	40,000	46,500	+6,500	46,500	46,500
12. Human resources	8,200	5,211	8,200	+2,989	8,200	8,200
Undistributed reduction						−32,000
Programs not in dispute	2,061,100	2,061,100	2,061,100		2,061,100	2,061,100
Total, Air Force	3,212,500	3,110,811	2,958,200	−152,611	3,110,800	3,034,800
DEFENSE AGENCIES						
ARPA:						
1. Strategic technology	72,500	72,500	69,800	−2,700	69,800	69,800
2. Tactical technology	27,600	27,600	27,100	−500	27,100	27,100
3. Advance command, control, and communication technology	9,800	9,800	8,800	−1,000	8,800	8,800
4. Nuclear monitoring research	21,400	21,400	21,100	−300	21,100	21,100
5. Defense research sciences—Information processing techniques	37,100	37,100	36,600	−500	36,600	36,600
Programs not in dispute	42,141	42,141	42,141		42,141	42,141
Total	210,541	210,541	205,541	−5,000	205,541	205,541
DCA:						
6. Defense communication system	9,530	9,530	8,830	−700	8,830	8,830
7. Defense communication system test and evaluation	4,100	4,100	3,900	−200	3,900	3,900
Programs not in dispute	7,470	7,470	7,470		7,470	7,470
Total	21,100	21,100	20,200	−900	20,200	20,200
8. DIA	6,405	6,405	3,905	−2,500	5,083	5,083
DMA:						
9. Mapping, charting, and geodesy investigations	7,985	7,985	7,585	−400	7,985	7,985
Programs not in dispute	3,930	3,930	3,930		3,930	3,930
Total	11,915	11,915	11,515	−400	11,915	11,915
DNA:						
10. Nuclear weapons effects development	53,509	53,509	52,409	−1,100	52,409	52,409
11. Nuclear weapons effects tests	73,691	73,691	69,791	−3,900	69,791	69,791
Total	127,200	127,200	122,200	−5,000	122,200	122,200
12. NSA	93,500	93,500	91,700	−1,800	91,700	91,700
13. Undistributed reduction		−21,000		+21,000	−5,400	−5,400
Other programs not in dispute	54,339	54,339	54,339		54,339	54,339
Total, defense agencies	525,000	504,000	509,400	+5,400	505,578	505,578
Total, Department of Defense authorization	8,557,900	8,321,797	8,059,733	−262,064	8,319,936	8,194,885

B–1 Aircraft

The House bill authorized the full $473.5 million requested. The Senate bill authorized $100 million less, or $373.5 million, and represented an expression by the Senate of its dissatisfaction with the progress and management of this program.

This program has experienced major problems affecting schedule slippage and cost increases twice since the B–1 program was presented to the Congress this year.

The House and Senate Armed Services Committees were advised by letters from the Secretary of the Air Force dated October 6, 1973, that a number of constructive actions had been taken by the Air Force, but that preliminary views of the special committee established by the Air Force, headed by Dr. Raymond L. Bisplinghoff, Deputy Director of the National Science Foundation, to assess the B–1 development program indicated that the program "is success oriented and austere in funding and schedule. Therefore, there could be difficulty in transitioning from the development to the production phase as the program is now structured." "The Bisplinghoff Committee believes that the present program is not the conservative process that they would endorse . . . and additional program adjustments could increase the present development program estimate by as much as 10 percent." The letters also advised that an independent cost analysis conducted by the Air Force reflected further increases in cost estimates above the amounts previously reported. Total research and development program costs now are estimated to be $2,840,000,000 and procurement $12,050,000,000 for a total program cost of $14,890,000,000.

The conferees discussed this program at length, including technical, schedule, and cost uncertainties and expressed concern as to the possibility of further significant problems which would delay the program and add to costs.

The conferees agreed to an authorization of $448.5 million, coupled with the following specific guidance. The reduction of $25 million from the amount requested will be applied in such a manner as to avoid firing of contractor employees. The reduction should be accomplished by a combination of actions including, but not limited to, the following:

a. Delay award of contract for defensive avionics. With the delay in program schedule, procurement of these "off-the-shelf" items may be deferred and would permit more advanced equipment that would be available later to be incorporated.

b. Reduce the offensive avionics work consistent with the delay in the program.

c. Delay or reduce the level of work on the full-scale fatigue article, consistent with the program delay.

d. Short Range Attack Missile (SRAM) interface also could be deferred.

F–5E (F–5F) Aircraft

The House bill authorized $2.6 million requested for the F–5E aircraft program. The Deputy Secretary of Defense, by letter dated July 9, 1973, requested an increase in authorization to complete a definition study and initiate full scale development and testing of two prototype aircraft of a two-seat version of the Northrop F–5E international fighter to be designated the F–5F.

The Senate bill approved the addition of $14 million for this purpose. The House recedes.

A–10 Aircraft

The House bill authorized the $112.4 million requested. The Senate bill authorized $92.4 million, or $20 million less than the House, and reduced the quantity of 10 research and development funded airplanes to 6.

The conferees agreed to authorize $107.4 million, but limited the use of these funds to only 6 airplanes.

Strategic Cruise Missiles and Decoys

The House approved an authorization of $22 million for the Subsonic Cruise Armed Decoy (SCAD) and $15.2 million for the Strategic Cruise Missile (SCM) consistent with the revised request of the Department of Defense. The Senate deleted both amounts because the Department of Defense had not decided specifically what technology programs to pursue and what the requirements are for specific weapon systems to be developed. The Senate stated that a part of the $210 million provided to the Air Force and Navy for related general technology could be used to continue basic decoy and cruise missile technology up to subsystem and component development, but precluded the initiation of advanced development prototype programs both for SCAD and SCN.

The SCM and SCAD programs as originally proposed for fiscal year 1974 subsequently were completely reoriented by the Department of Defense. The Deputy Secretary of Defense by letter of July 6, 1973, advised that he had decided to terminate full engineering development of SCAD and had reduced the amount requested by $50.2 million from $72.2 million to $22 million. These funds would be used to conduct a technology demonstration of critical subsystems and include testing of the SCAD brassboard B–52 decoy electronics and continued turbofan engine development.

The Deputy Secretary of Defense, by letter dated August 28, 1973, advised that the SCM program would be continued and provide flight demonstrations of an advanced developmental prototype airframe and propulsion system. Tests would include underwater and air launch capability demonstrations and also consider surface launch feasibility.

These letters were received too late for either the House or the Senate Armed Services Committees to hold hearings and examine the specific details of these reoriented programs. The conferees agreed that this is required before the committees will approve any advanced development prototype programs.

The Senate Armed Services Committee in its report on the bill recognized the possibility that the Department of Defense during fiscal year 1974 may formulate and establish a specific program requirement for a decoy or missile which could be the basis for a proposed program action which the various committees of the Congress would then consider on its merit and, if approved, authorize initiation during fiscal year 1974; and if there is no urgency, a proposal could be made as part of the submission of the fiscal year 1975 request.

The conferees agreed to an authorization of $11 million for SCAD and $2.5 million for SCN with the understanding that the use of these funds would conform with the following guidance.

a. Develop components and subsystems such as advanced turbofan engines, ramjets, high density fuels, advance navigation and guidance systems, such as TERCOM.

b. Conduct studies to determine the specific requirement for alternative weapon systems that could provide such capabilities as a stand-off launch missile as a hedge against major problems that could jeopardize the B–1, improving the penetrating capability of the B–52G and H, providing for tactical cruise missiles beyond Harpoon, and providing a surface or submarine launched strategic cruise missile.

c. Submit the results of these studies as part of the fiscal year 1975 request so that the Congress will have an opportunity to consider the requirements in greater depth and in concert with all other programs involved in these mission areas. This does not preclude a submission of a proposed reprogramming action if the urgency of such a requirement warrants initiation during fiscal year 1974.

d. Encourage the continued close coordination and management of common technology programs between the Air Force and Navy, including integration of requirements to minimize unwarranted parallel developments.

e. Prohibit the initiation of advanced development prototype programs.

Light Area Defense System (LADS)

The House bill authorized $42.4 million for development of a Light Area Defense System (LADS); $15.4 million of this amount was provided under the Exploratory Ballistic Missile Defense program and $27 million under the Advanced Ballistic Missile Defense program.

The Senate deleted the full amount of $42.7 million requested primarily because the ABM treaty precludes deployment of this system, and because there are serious technical questions as to whether a Light Area Defense even if developed would be effective in countering either a small attack from the Soviet Union or a nuclear threat by the Peoples Republic of China.

The Department of Defense has advised the House and Senate Armed Services Committees that the $42.4 million requested is not intended to be used to develop a Light Area Defense System. The Director of Defense Research and Engineering, by letter dated October 9, 1973, advised the Senate Armed Services Committee that denial of these funds would create a serious void in the Ballistic Missile Defense technology base and eliminate vitally important research not uniquely required for Light Area Defense. The letter also stated that the technology developments in this program also would have application in other strategic areas such as satellite detection, discrimination, protection, and interception.

The conferees also were advised that this program would support continuation of data collection on the radar and optical signatures of ICBM tanks which fragment upon reentering the Earth's atmosphere and the special target program effort previously supported by the Site Defense program.

The conferees agreed to authorize $29,100,000 solely to support Ballistic Missile Defense technology with the understanding that, as a matter of policy, none of these funds will be applied to the development of a Light Area Defense System.

Site Defense

The House bill contained an authorization of $145 million for the Site Defense prototype demonstration program. This represented a reduction of $25 million from the amount requested. The House committee believed that a program of $145 million is sufficient for an orderly Research and Development program in fiscal year 1974 and that the increase requested over fiscal year 1973 was not adequately justified.

The Senate bill reduced the amount requested by $70 million to $100 million, which is $45 million below the House. The Senate action was consistent with that of the House in slowing the pace of development of this program, which is presently limited to a prototype demonstration. Site Defense, except within certain limitations, could not be deployed under the provisions of the ABM treaty except at the National Command Authority site. It, therefore, essentially constitutes a hedge in the event that the treaty is violated by the Soviets, or if the United States deems it necessary to abrogate the treaty in the interest of its strategic deterrent posture.

The conferees agreed to an authorization of $135 million with the understanding that none of these funds will be used to conduct contract studies for deployment of a National Command Authority site.

Close Air Support Weapon Systems

The House bill authorized the $8 million requested for the Close Air Support Weapon Systems to begin engineering development of a laser seeker for the Maverick missile. The Senate bill denied the $8 million requested in favor of using the Bulldog laser seeker on the Maverick missile.

The conferees agreed to authorize $5 million, of which $3 million will be used only for integration of the Bulldog missile seeker in Maverick and $2 million only for further development of the TV Maverick seeker.

Advanced Forward Area Air Defense

The House bill authorized $19.465 million under this program for the Low Altitude Forward Area Air Defense (LOFAADS) program.

The Senate denied all of these funds because the Army had not yet determined that there is a valid requirement for another all-weather air defense missile.

The conferees were advised by the Army that its requirement had been reduced to $7 million, of which $2.5 million would support in-house costs to obtain and evaluate contractor proposals and $4.5 million to cover initial contract costs following contractor selection.

The conferees agreed to authorize $2.5 million which will support Army in-house costs including the solicitation and evaluation of contractor proposals. Allowing more than $2.5 million would constitute approval of the program. If the Army decides to proceed with this program and requires funds to initiate contractor effort, this should be proposed in conjunction with the submission of the fiscal year 1975 request.

SURFACE EFFECTS SHIPS

The House bill contained an authorization of $72.8 million, which is the amount requested, for the Surface Effects Ships program. The Senate reduced the authorization by $11.9 million with the concurrence of the Navy that the $11.9 million would not be required to support the program during fiscal year 1974.

The Senate bill contained language which required that, of the funds authorized for Research, Development, Test and Evaluation for the Navy, $60.9 million is authorized only for the Surface Effects Ships program. This restrictive language was added because the key events, satisfactory completion of the 100 ton test program, approval to proceed with detailed design, and progress of supporting technology in solving all major technical problems, will occur after the Congress acts on this bill. This language is intended to prevent funds authorized for this program from being reprogramed to other requirements if these forecasted events do not occur as scheduled. Since this is consistent with the desires of the House, the House conferees agreed to retain the language. The House recedes.

TITLE III—ACTIVE FORCES

End strengths

The House bill contained authorized end strengths for the fiscal year ending June 30, 1974, for the Army, Navy, Marine Corps and Air Force that were 13,037 below the amount requested. The amounts authorized by service in the House bill were as follows:

Army	791,627
Navy	565,912
Marine Corps	196,363
Air Force	665,963

The House bill also contained the requirement that its Armed Services Committee report to the House by April of 1974 on the advisability of maintaining our present level of military commitment to Europe.

The Senate bill authorized end strengths for the year ending June 30, 1974, by service as follows:

Army	803,806
Navy	566 320
Marine Corps	196,419
Air Force	666,357

However, the Senate bill provided that the end strengths authorized should be reduced by 156,100 as of June 30, 1974, with the reductions to be apportioned among the services by the Secretary of Defense with the Secretary required to report to the Congress within 60 days on the manner in which the reductions are to be apportioned among the military departments. The Senate language further required that the reductions shall be applied to the minimum extent practicable to support forces.

The Department of Defense strongly opposed the reductions in the Senate version of the bill.

The Department maintained that reductions of the size called for in the Senate bill would have required reducing fighting forces and would have created excessive personnel turbulence.

After extensive discussion, the Conferees agreed on the end-strength totals in the Senate amendment and further agreed on a total reduction of 43,000 to be imposed as of June 30, 1974, with the reductions to be apportioned among the Services by the Secretary of Defense, who is required to report to the Congress within 60 days on the manner of apportionment among Services and missions.

The Conferees wish to state that the Department of Defense should effect manpower economies which will result in reductions in the next several years of at least the magnitude imposed in the present bill if such are determined to be not inconsistent with the needs of national security.

Exclusion of reservists from active-duty strength computation

The Senate bill contained language making permanent the provision of law that has appeared in previous authorization bills excluding ready Reservists ordered to active duty in making the computation to determine the active-duty end strength of any component of the Armed Forces.

The House bill had contained the same exclusion as a requirement for the present fiscal year.

The House recedes with an amendment adding to the language of the Senate version of the bill a provision from the House bill that the exclusion of Reservists ordered to active duty shall include those on active duty for training, and the Senate agrees to same.

Semiannual report on units called to active duty

Section 303 of the Senate bill provided that whenever one or more units of the ready Reserve are ordered to active duty, the President shall submit semi-annual reports to the Congress listing the necessity of having such units on active duty, including a statement of the mission of each unit, an evaluation of its performance, the unit deployment and other information as appropriate.

The House bill contained no comparable provision.

The House recedes.

Codification of Authorization Authority and the Addition of Authorization for Department of Defense Civilian Manpower

Section 304 of the Senate bill would require the Congress to authorize the end strength for civilian employees for such component of the Department of Defense for each year, beginning with the fiscal year which begins on July 1, 1974. The House bill contained no comparable provision.

Section 604(a) of the House bill would amend Chapter 4 of Title 10, United States Code, by adding new sections after Section 137 of Chapter 4, Title 10. The House version would retain the authorization language in existing law but it would codify such language as a permanent part of Title 10, United States Code. This codification clarifies the statutory requirement for authorization for appropriations for various activities of the Department of Defense. Basically, this requires authorization before funds can be appropriated, obligated or expended for the categories specified. The word "annual" was eliminated with the result that it covers all appropriations for such purposes. The Department of Defense did not object to the provision of the House bill. The Department opposed the authorization of end strength for civilian employees on the grounds that it would limit flexibility in manpower management and on further grounds that Congress presently has sufficient overall review procedures.

The Senate conferees pointed out that civilian manpower totals over 900,000 and costs approximately $13.5 billion annually. Over 90 percent of civilians are in support and overhead functions. Proper review and control of defense expenditures require the kind of review that annual authorization enforces, the Senate conferees declared.

The Senate conferees recede on the langauge of Section 604(a) of the House bill, and the House conferees recede on the requirement for authorization for the civilian end strength of the Department of Defense.

Early release of regular military personnel

Section 305 of the Senate bill was a floor amendment which would authorize the Secretary of Defense to release military personnel without regard to any provision of law relating to tenure or continuation except that personnel with over 18 years of service could not have been released until they have attained 20 years. The provision would have provided regular officers so released to be paid the same readjustment pay as now provided to Reservists under Section 687 of Title 10, United States Code.

The House bill contained no such provision. The Senate language would have had the effect of equalizing the retention opportunities of regular and Reserve officers.

The House conferees were concerned that the Senate provision would have changed the existing career understanding of regular officers and would have sharply modified complex existing law without adequate study and hearings. The House conferees, therefore, were adamant in their opposition to the provision.

The Senate recedes.

TITLE IV—RESERVE FORCES

Naval and Coast Guard Reserve strength

Title IV of the bill contains the annual authorization for the average strength of the selected Reserve for each Reserve component of the Armed Forces. For the Naval Reserve the House bill provided an authorization of 116,981. The Senate bill authorized 121,481. The House authorization corresponds to the request of the Department of Defense. The Senate version added 4,500 to the requested strength for the Naval Reserve, an action taken to avoid the forced release of selected Reservists.

Both Houses recede in their position with an amendment providing an authorization of 119,231.

The House bill authorized 11,800 as the strength of the Coast Guard Reserve. The Senate bill authorized 11,300, the amount requested.

The Department of Transportation, which has supervision over the Coast Guard, indicated that the Coast Guard could not absorb the additional 500 Reserve spaces because the appropriation bill for the Department of Transportation has already been enacted into law and does not include money for training these additional 500 Reservists.

The House recedes.

TITLE V—MILITARY TRAINING STUDENT LOADS

The Senate bill provided the authorized military training student loads as requested by the Department of Defense. The request by service was as follows:

Army	89,200
Navy	75,800
Marine Corps	28,000
Air Force	55,100
Naval Reserve	17,400
Marine Reserve	6,700

The House version of the bill provided for modest reductions in the training authorization for each of the services which reflects a 10-percent reduction in the undergraduate education programs.

The Senate bill, providing no specified reductions, provided that the training load for each of the services be reduced consistent with any overall reductions in manpower.

The House conferees believe, therefore, that the objective of the House reduction can be accomplished and the House, therefore, recedes.

The Senate bill contained a provision, Section 502, which would repeal the requirement for annual authorization of training loads. As training is an important part of the Defense budget running into billions annually, the House conferees believe that annual review by the Committees on Armed Services is vital and, therefore, adamantly opposed Section 502 of the Senate bill.

The Senate recedes.

TITLE VI—ABM PROGRAM—LIMITATIONS ON DEPLOYMENT

Title VI of the Senate bill contains language identical to that included in last year's authorization prohibiting the initiation of work on deployment of an ABM system in any site other than Grand Forks, North Dakota. As a site around the National Command Authorities would be the only other site consistent with the ABM limitation treaty, and as no such site is planned or requested, the House recedes.

Limitation on title I and title II authorization

The House bill contained a floor amendment providing an overall dollar limitation on the total authorization of Titles I and II of the bill of $20,455,255,000. The amendment would have effected a $949.7 million reduction in the total of $21,395,000 for approved programs in the House bill.

The Senate bill contained no comparable provision.

The intent of the House provision was to limit the FY 1974 authorization to the amount appropriated for FY 1973, plus 4.5% for inflation.

The House recedes.

Economic adjustment

The Senate bill contained a separate title, Title VII, adopted as a floor amendment in the Senate, designed to alleviate the impact on communities affected by base closures or curtailment of Defense activities. The title would have provided an Office of Economic Adjustment in the Department of Defense with a $50 million authorization to assist communities affected by Defense changes and would have required 180 days' notification of base closures or curtailments together with the requirement for consultation with local communities prior to such actions. The House conferees failed to be convinced of the necessity for such a statutory provision which had not been previously subject to hearings. This is particularly true in view of the fact that the Department of Defense has, since 1963, established regular procedures for assisting communities which may be adversely affected by a base closure action when the community itself requests such departmental assistance.

The Senate, therefore, recedes.

The conferees wish to state that they are sympathetic with the aim of providing adequate notification as far in advance as possible on base closures or curtailment of Defense activities and urge the Department of Defense to improve its procedures in this regard.

Multiyear contracting limitation

The House bill contained a provision prohibiting multi-year contracts unless specifically authorized by Congress when such contracts involve termination charges greater than $5 million. The provision is similar to language contained in last year's authorization legislation.

The Senate bill contained no comparable provision.

The Senate recedes.

Recomputation of military retired pay

The Senate bill contained a separate title, the intent of which was to provide that military personnel retired prior to January 1, 1972, would have their retired pay recomputed on January 1, 1972, pay scales at age 60 except that those retired for physical disability under the Career Compensation Act of 1949 with 30 percent or greater disability would be able to recompute immediately. The Senate title was adopted as a floor amendment. The House bill contained no comparable provision. Moreover, separate hearings on the matter in the House had recommended against such a provision.

The Senate language was not germane to the House bill.

The Senate recedes.

Study commission

The Senate bill contained a provision to establish the Defense Manpower Commission to conduct an 18-month study on all aspects of military and civilian manpower.

The House bill contained no such provision. The Department of Defense opposed the study on the grounds that sufficient information on manpower is presently furnished to the Congress. The Department was also concerned that the work of the commission could result in the delay of consideration of proposals in the manpower area and that the time authorized, 18 months, was insufficient for a meaningful study.

The House conferees questioned the need for such a commission. However, the Senate conferees were adamant in thir view that the impact of manpower on the Defense budget required such a study to be undertaken.

The House, therefore, reluctantly recedes with an amendment setting the life of the commission at 24 months instead of the 18 months initially proposed and limiting the authority of the Commission to studies of Defense manpower.

C–5A

The Senate version of the bill contained restrictive language, similar to that enacted in previous years, relating to the use of funding for the C–5A program.

The House version contained no such restriction. The Senate was again adamant in its insistence that such restrictive language be continued in connection with funding the C–5A program.

The House reluctantly recedes.

Enlisted aides

In approving manpower authorizations for the Department of Defense the House Committee on Armed Services specified in its report that the present total of enlisted aides, 1,722, was excessive and that the number should be reduced to 1,105.

The Senate bill contained a provision, section 1103, which would limit use of enlisted aides to no more than two for four-star officers and no more than one for three-star officers plus one additional aide for the Chiefs of Staff of each service. The Senate provision reduced the limit of aides to 218. The House conferees were able to convince the Senate conferees that the limitation in the Senate bill was too restrictive and that language in the law itself is not required.

The Senate therefore recedes on its language and the conferees agree that the number of enlisted aides shall be limited to a total of no more than 675 with the distribution of authorization for use of such aides among the military departments to be determined by the Secretary of Defense.

Survivor benefits plan

The Senate bill contained an amendment to extend for six months—until March 21, 1974—the time period during which previously retired military personnel may enroll in the survivor benefits plan for retired military personnel enacted by the Congress as Public Law 92–425 on September 21, 1972.

The House recedes.

Chemical warfare study

The Senate bill contained a provision, section 1104, calling for a study by the National Academy of Science on the most effective method of eliminating chemical warfare agents. The House bill contained no comparable provision. The House conferees pointed out to the Senate conferees that the hearings on the matter have recently been conducted by a subcommittee of the House Committee on Armed Services.

The Senate recedes.

Aerial acrobatic demonstrations outside the United States

The Senate bill contained a provision prohibiting demonstrations outside the United States by military aerial acrobatic teams.

The House bill contained no such provision. The Senate amendment was not germane to the House bill.

While the House conferees agreed that overseas performances of such military teams should be used sparingly and only in those instances where it is clearly in the best interests of the United States, the House opposes an outright legal prohibition as inadvisable.

The Senate recedes.

Prohibition of U.S. combat activities in Southeast Asia

The Senate bill contained a provision, section 1107, providing a restatement of the total prohibition on funding of U.S. military activities in, over, or from off the shores of Indochina without the express consent of the Congress.

Since the amendment continues language presently in law and is consistent with the policy decision previously made by the Congress, the House recedes.

Limitation on advance payment to contractors

The Senate bill contained a provision, section 1108, providing a limitation of $20 million on advance payment that may be made to a defense contractor without prior congressional approval. While the House conferees were sympathetic to the purposes of the amendment, they were concerned that the language was unduly restrictive and could result in delays on important weapons programs.

The conferees, therefore, agreed to amend the language of the section to provide a 60-day notice to the Congress prior to advance payments in excess of $25 million, with either House having the option to reject a proposed advance within the prescribed 60 days.

The House recedes.

AWACS funds study

The Senate bill contained a provision, section 1109, prohibiting release of long lead-time funding for the AWACS program until completion of a cost-effectiveness study by the Comptroller General. The House bill contained no comparable provision.

The Senate recedes.

National Industrial Reserve Act

The Senate bill contained a provision, sec-

tion 1110, which provides for the phase out of the National Industrial Reserve and its replacement with the Defense Industrial Reserve. The amendment would consolidate defense industrial equipment reserves and would authorize continuation of the "Tools for Schools Program."

The House recedes.

Petroleum conservation

The Senate bill contained two provisions relating to conservation of petroleum. Section 1111 was a sense of Congress statement that the Department of Defense should make every effort to conserve important petroleum resources. Section 1114 would declare the sense of Congress that the Department of Defense should implement a 10 percent reduction of its consumption of petroleum products except where such reduction would adversely affect the national security or essential training exercises.

The House conferees concurred in the spirit of these provisions and found the second more desirable.

The Senate therefore recedes on the first provision and the House recedes on the latter.

U.S. forces in NATO

The Senate bill contained two provisions concerning the deployment of U.S. forces in NATO. Title X of the original version of the Senate bill would have required a continuing study of U.S. NATO forces, with semi-annual reports to Congress, looking towards an eventual reduction of U.S. troops in Europe. The provision contained some language which, while not objectionable to the House conferees, was considered unnecessary since it called for actions presently taking place, such as Mutual and Balanced Force Reduction negotiations with the Warsaw Pact.

The Senate recedes.

The House bill contained, as previously indicated, a provision requiring review of the NATO commitment by the Armed Services Committee with a report back to the House by April 1, 1974. The provision was adopted by the House in conjunction with its rejection of proposals for specific reductions in U.S. deployments in support of NATO. The House language places no requirement on the Senate, and Senate conferees, therefore, did not object to its retention in the bill.

The Senate bill also contained a provision, Section 1116, calling for the President to seek payment from our NATO allies in amounts sufficient to offset any balance-of-payments deficit incurred by the United States as a result of deployment of troops in Europe to fulfill NATO commitments. The balance-of-payments deficit was to be determined by the General Accounting Office. The provision further specified that if NATO allies failed to offset the balance-of-payments deficit within 12 months after enactment, then beginning 6 months thereafter U.S. forces in Europe would be reduced at a rate corresponding to the percentage of balance-of-payments deficit not offset. The provision also states as a finding of Congress that other members of NATO should assist the United States in meeting expenses in connection with its deployment to Europe.

The Department of Defense opposed the Senate provision.

The conferees are persuaded that a strong North Atlantic Treaty Organization is vital to our national security and to the stability of the peace in Europe. We remain convinced, moreover, that a significant American presence in Europe is essential to a strong and cohesive NATO. It is our belief, however, that a more equitable sharing of the burden of maintaining an adequate American presence in Europe, particularly an alliance-wide effort to offset the drain on the balance of payments of the United States, can and must be negotiated among the members of the alliance if continued public support for maintaining this presence is to be assured. We believe there should be no further delay in moving to negotiate appropriate bilateral and multilateral arrangements sufficient to offset fully the balance of payments deficit incurred by the United States as a result of the deployment of forces in Europe in fulfillment of the treaty commitments and obligations of the United States.

The conferees believe that the principal objection of Members of both houses of Congress to the stationing of American forces in Europe has been the adverse impact on our balance of payments—an adverse impact that has been especially objectionable in view of the strength of the currencies of some of our NATO allies, the recurring weakness of the U.S. dollar in relation to some of those currencies, and the large dollar holdings accumulated in West Europe. Thus we believe that a solution to the balance of payments problem will serve to place the continuing American presence in Europe on a more stable foundation.

The proposition that burden-sharing within the NATO alliance could most appropriately be equalized by protecting the United States against a balance-of-payments deficit in connection with its NATO deployment was first stated by the Special Subcommittee on NATO Commitments of the House Committee on Armed Services in a report filed on August 17, 1972. Specifically, that subcommittee recommended a Common NATO Fund as a balance-of-payments clearinghouse for the alliance.

The House Committee on Armed Services, in its report accompanying the present bill, H.R. 9286, expressed its support for the Common NATO Fund proposal as the most desirable means of relieving the United States of an unfair share of the financial burden of NATO. Such an adjustment would be the form of burden-sharing that would benefit the United States most and would do so without weakening the alliance militarily. The committee noted that the Secretary of Defense has, in recent months, also proposed that our NATO allies develop some sort of multilateral program to compensate the United States for its heavy expenses attendant on its NATO deployment.

The House conferees, therefore, were sympathetic to the balance-of-payments approach to rectifying NATO burden-sharing.

However, the House conferees were concerned about providing too short a time frame for required action on such a complex matter and questioned the manner in which the balance-of-payments deficit is determined. The House conferees also questioned whether the time constraints in the Senate language would provide adequate time for necessary consultations with our allies.

The Senate conferees, however, were steadfast in maintaining the Senate position and insisted inclusion of the provision was a minimum requirement for support of the bill.

The conferees, therefore, agreed to the amended version of the provision included in the conference report.

As amended by the conference, the section provides that the balance-of-payments deficit relating to troop deployments shall be determined by the Secretary of Commerce, in consultation with the Secretary of Defense and the Comptroller General. The conferees agree that this provision will permit all concerned agencies an opportunity to be represented. The new language also provides for an expiration of 18 months, instead of 12 months, during which the other members of NATO will have an opportunity to commence offsetting the U.S. balance-of-payments deficit relating to the U.S. troop deployments, and the expiration of 24 months, instead of 18 months, before the United States would begin to make reductions if the balance-of-payments deficit is not offset. In agreeing to extend the time by six months, it was the intention of the Senate conferees to provide a slightly more relaxed period for negotiations.

In acceding to this amended version of the Senate provision, the House conferees wish to stress that this action on their part is taken with an awareness of the forthcoming study ordered by the House, as provided elsewhere in the bill. Upon the completion of that study, the House will be in a position to reanalyze the necessity for this provision and undoubtedly will do so during next year's authorization review.

As far as subsection (c) is concerned, the conferees believe that a vigorous effort must be made to negotiate a more equitable sharing of the cost burden under the North Atlantic Treaty Organization.

The House reluctantly recedes.

Senate youth program

The Senate bill contained an amendment authorizing and directing the Defense Department to provide escort, briefing, usable organizations and other support to the Senate Youth Program. The House bill contained no comparable provision. The provision is not germane to the House bill.

The Senate recedes.

Air Force Reserve and Air National Guard study

The Senate bill contained a provision, Section 1113, calling for a comprehensive study of the Air Force Reserve and Air National Guard with the detailed report to the President and the Congress not later than January 1, 1975.

The House bill contained no similar provision.

The House conferees opposed any action that would be taken as implications of support for a merger of the Air Guard and Air Reserve. However, a comprehensive study of the Guard and Reserve is presently underway under the auspices of the Secretary of Defense. The House conferees agreed to the advisability of the results of such a study being made available to the Congress and, therefore, were prepared to recede to the Senate provision with clarifying language indicating that the study was designed to determine the relative status of the Air Reserve and Air National Guard with attention given to modernization needs of the Air Guard and Air Reserve and to the recruitment, retention and training needs of both organizations.

The House recedes with the amendments noted.

Retiring-employee suggestions

The Senate bill contained a provision, Section 1115, directing the Department of Defense to request retiring employees to make suggestions on procurement practices.

The provision is not germane to the House bill.

The Senate recedes.

Buy American

The House bill contained a provision, section 606, which was adopted as a floor amendment and which would provide for consideration of a series of factors prior to the procurement of any goods or supplies for the Department of Defense from other than American firms. The Senate bill contained a comparable provision, Section 1117, which prohibits procurement of other than American goods unless consideration has been given to labor-surplus areas, small businesses, U.S. balance of payments, cost of shipping, foreign duties, and other related factors.

The Department of Defense advised against enactment of either amendment but found the language of the Senate provision more acceptable.

The conferees agreed to accept the language of the Senate amendment.

The House recedes.

MAST

The Senate bill contained language to authorize the Secretary of Defense to provide medical emergency helicopter transportation for civilians.

The House bill contained no such language. However, the language in the Senate provision is identical to H.R. 7139, passed by the House of Representatives on May 21, 1973.

The House, therefore, recedes.

Reduction of overseas deployments

The Senate bill contained a provision, section 1119, adopted as a floor amendment, which would have required a reduction of 110,000 in the number of U.S. troops deployed overseas by December 31, 1975 with not less than 40,000 of the reductions to be made by June 30, 1974. No comparable provision was contained in the House bill, and the Department of Defense strongly opposed the provision.

The Senate conferees pressed for adoption of their amendment. However, the House conferees were concerned about the effect that the amendment might have on troop-reduction negotiations in Europe and on the strategic position of the United States under the present particularly tense world conditions. The House conferees were adamant in their opposition to the amendment.

The Senate reluctantly recedes.

Quarters-allowance study

The Senate bill contained a provision, Section 1120, requiring a Department of Defense study of quarters and cost-of-living allowances.

The House bill contained no such provision. The House conferees objected to the provision as unnecessary since adequate attention to such allowances is already provided for in departmental review of pay and allowances now required by law.

The Senate recedes.

Rickover

The Senate bill contained a provision for the promotion of Vice Admiral Rickover to the rank of admiral on the retired list.

The House bill contained no such provision. However, the provision is identical to the language of H.R. 1717 which passed the House of Representatives of January 19, 1973. This provision places him in the same position as others retired at four-star rank.

The House recedes.

Extension of transfer authority for Israel

The Senate bill contained a provision continuing until December 31, 1975 the authority of the President to transfer to Israel by sale, credit sale, or guaranty aircraft and related equipment. This provision, presently in law would extend the authority until December 31, 1975.

The House recedes.

Prohibition on aid to North Vietnam

The House bill contained a provision, Section 602, prohibiting direct or indirect use of funds in this or any other legislation for any economic or military aid to North Vietnam during FY 74.

The Senate bill contained an alternative provision prohibiting the use of any funds for support of North Vietnam or the Viet Cong until the President has certified that the parties have complied with the sections of the peace treaty concerning an accounting for American personnel missing in action or killed in action.

The conferees agreed that the House provision more appropriately expressed the will of the Congress in regard to aid to North Vietnam.

The Senate recedes with an amendment deleting the limitation which confined the prohibition to FY 1974.

Military law-officer training

The Senate bill contained a provision, Section 1124, authorizing up to 25 officers for each military department each year to be trained at an accredited law school.

The House bill contained no such provision. The Department of Defense strongly supports the Senate provision, stating that it would materially assist in providing adequate numbers of military lawyers.

The House recedes.

India loan settlement

The Senate bill contained a provision, Section 1125, prohibiting the settlement of the loan that the Government of India has with the United States at less than the full amount owed unless a lower settlement is authorized by the Congress.

The House bill contained no comparable provision. The provision is not germane to the House bill.

The Senate recedes.

Early release of military doctors

The Senate bill contained a provision, Section 1126, which would have authorized the early release of military physicians and dentists to practice in communities with a shortage of medical personnel.

The House bill contained no comparable provision. The House conferees oppose the provision because of the shortage of physicians and dentists in the Armed Forces and the continuing difficulty that the Armed Forces face in attracting and retaining an adequate number of medical personnel.

The Senate recedes.

Public Health Service hospitals

The Senate bill contained a provision, Section 1127, which, in effect, requires that 8 Public Health Service hospitals which had been scheduled for closing by the Administration be continued in operation.

The House bill contained no similar provision.

The conferees noted that 26.4 percent of the hospitals' in-patients in fiscal 1973 were active-duty or retired military personnel and dependents. The hospitals, therefore, have a relationship to the quality of medical care provided to military personnel.

Separate legislation passed earlier by the Congress, S. 504, was vetoed by the President. The attempt to override the veto failed in the House by only 5 votes. It was the belief of the House conferees, therefore, that the amendment is consistent with the position of the majority of the membership of the House.

The House recedes.

SUMMARY

The bill, as agreed to in conference, totals $21,299,520,000.

The figure arrived at by the conferees is $659,680,000 less than the amount requested by the Department of Defense.

F. EDW. HÉBERT,
MELVIN PRICE,
O. C. FISHER,
CHARLES E. BENNETT,
SAMUEL S. STRATTON,
WILLIAM G. BRAY,
L. C. ARENDS,
CHARLES S. GUBSER,
Managers on the Part of the House.

JOHN C. STENNIS,
STUART SYMINGTON,
HENRY M. JACKSON,
HOWARD W. CANNON,
THOMAS J. MCINTYRE,
HARRY F. BYRD, JR.,
STROM THURMOND,
JOHN TOWER,
PETER H. DOMINICK,
BARRY GOLDWATER,
Managers on the Part of the Senate.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. GONZALEZ, for 30 minutes, today, to revise and extend his remarks and include extraneous material:

A BILL AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on October 12, 1973 present to the President, for his approval, a bill and joint resolutions of the House of the following title:

H.R. 3799. To liberalize eligibility for cost-of-living increases in civil service retirement annuities;

H.J. Res. 727. Making further continuing appropriations for the fiscal year 1974, and for other purposes; and

H.J. Res. 542. Concerning the war powers of Congress and the President.

ADJOURNMENT

Mr. O'NEILL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 9 minutes a.m.), the House adjourned until Monday, October 15, 1973, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HÉBERT: Committee of conference. Conference report on H.R. 9286 (Rept. No. 93-588). Ordered to be printed.

SENATE—*Saturday, October 13, 1973*

The Senate met at 9 a.m. and was called to order by the President pro tempore (Mr. EASTLAND).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, eternal and unchangeable, who hast ordained that day follows night and that in trial we find our triumph, help us one and all to witness to Thy goodness and mercy which never fails. Grant that beyond all contentions and conflicts, beyond all disappointments and failures, beyond the cross of pain and suffering, there may come the resurrection of truth and hope and new life. Grant, O Lord, that through the discipline of Thy judgment, through renewed obedience to Thy law, and by a fresh dedication to doing Thy will, this Nation may yet shine with the beauty of righteousness and justice never before achieved or revealed. Bring healing, wisdom, and strength.

"Rise up, O men of God!
Be done with lesser things;
Give heart and mind and soul and strength
To serve the King of Kings."

Amen.

QUORUM CALL

Mr. MANSFIELD. Mr. President, I wish the Senate would indulge me as I would like to ask that there be a quorum call for not to exceed 2 minutes.

The PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, October 12, 1973, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

Mr. LONG. Mr. President, I object.

The PRESIDENT pro tempore. Objection is heard.

Mr. MANSFIELD. They are already meeting.

May I express the hope, then, that in view of the objection raised, the Committee on Rules and Administration, under the chairmanship of the distinguished Senator from Nevada (Mr. CANNON), will be able to meet informally this morning, as he announced that the committee would be meeting this morning and the Senate was aware of that fact.

Mr. President, I ask unanimous consent that the Senate go into executive session——

Mr. LONG. Mr. President, the Senator understands that it takes the objection of only one Senator. The Senate, of course, can vote me down on that. But if the Senate wants to vote me down, and they can, a Senator would have to make the motion and there would have to be a quorum present. Let me say that my objection was not facetiously made.

Mr. MANSFIELD. I am sure it was not. I am sure that the Senator had some reason for doing it, and I respect it. That is why I suggest, in view of the situation which has arisen and the pledge which was made to the Senate yesterday by the distinguished Senator from Nevada (Mr. CANNON), that he might consider meeting informally with his committee this morning.

Mr. LONG. I may have done that myself. I recognize that. I just want to understand what we are talking about.

Mr. MANSFIELD. I understand that an informal meeting of the Committee on Rules will take place this morning.

Mr. CANNON. The Senator is correct.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the calendar under the heading "New Reports."

The PRESIDENT pro tempore. Without objection, it is so ordered.

ATOMIC ENERGY COMMISSION

The PRESIDENT pro tempore. The clerk will state the nomination.

The legislative clerk read the nomination of Donald R. Cotter, of New Mexico, to be Chairman of the Military Liaison Committee to the Atomic Energy Commission.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask that the President be notified of the confirmation of the nomination.

The ACTING PRESIDENT pro tempore. Without objection, the President will be so notified.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendars Nos. 438 and 439.

The PRESIDENT pro tempore. Without objection, it is so ordered.

HALE BOGGS FEDERAL BUILDING

The bill (S. 2178) to name the U.S. courthouse and Federal office building under construction in New Orleans, La., as the "Hale Boggs Federal Building," and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States courthouse and Federal office building now under construction at the corner of Camp Street, bounded by Poydras Street, Lafayette Street, and Magazine Street, New Orleans, Louisiana, shall hereafter be known and designated as the "Hale Boggs Federal Building". Any reference in a law, map, regulation, document, record, or other paper of the United States to such building shall be held to be a reference to the "Hale Boggs Federal Building".

EARLE CABELL FEDERAL BUILDING

The bill (S. 2503) to name a Federal office building in Dallas, Tex., the "Earle Cabell Federal Building," was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal office building and United States courthouse at 1100 Commerce Street, Dallas, Texas, shall hereafter be known and designated as the "Earle Cabell Federal Building". Any reference in a law, map, regulation, document, record, or other paper of the United States to such building shall be held to be a reference to the Earle Cabell Federal Building.

NOMINATION OF GERALD R. FORD TO BE VICE PRESIDENT OF THE UNITED STATES

Mr. MANSFIELD. Mr. President, I have some remarks to make; but first, in view of the developments overnight concerning the debate on yesterday, I wondered whether the distinguished Senator from Florida (Mr. CHILES) would consider a personal request from the majority leader to withdraw his resolution at this time.

Mr. CHILES. Mr. President, the Senator from Florida would honor that request and would ask that Senate Resolution 185 be indefinitely postponed.

Mr. MANSFIELD. I thank the distinguished Senator from Florida.

The PRESIDENT pro tempore. Without objection, Senate Resolution 185 will be indefinitely postponed.

Mr. MANSFIELD. I thank the Senator very much for getting the Senate out of the impasse in which it found itself last evening and would have been in this morning had not the Senator shown a generous attitude about this particular question.

Mr. President, I may have been the only Senator—and perhaps the only Member of Congress—who did not know whom the President had nominated for the vacancy in the Office of Vice President until 5:30 this morning, when I turned on WTOP and heard what the President had announced last evening.

It has been a pretty tough week, so far as I was concerned personally. I went to bed rather early, took the phone off the hook, and had a good night's sleep.

But let me say this: I am very much pleased with the announcement made by the President of the United States because, like my distinguished colleague, the Republican leader of the Senate, I had served with GERALD FORD for many years in the House of Representatives. I may also say that the distinguished assistant majority leader and the distinguished assistant Republican leader both had served with him in the House, as well. GERALD FORD is the kind of man whom one would expect the President to nominate—an activist; not a caretaker; a loyal Republican; a man loyal to the President; but a man who is understanding of the attitude and the factors which motivate the other side, as well.

So speaking personally, I must say that I am very much pleased with the nomination of Representative GERALD

FORD as Vice President-designate. I would express the hope that the Committee on Rules and Administration would undertake informally the beginning of the hearings which will occur as the month goes by; that it might be possible, in view of the great public knowledge of this man, his background, his character, his capacity, his dedication, and his patriotism for the Rules Committee to report the nomination this month, and that it would be possible for the Senate to act on the confirmation this month. That does not mean that I am advocating anything hasty, but I do think that, on the basis of a thorough investigation—which I assume and am sure the administration has already undertaken through the FBI—a further and perhaps more thorough investigation will be requested; that special staff members will be assigned to the Committee on Rules; that this matter will be gone into expeditiously, but not hurriedly; and that the vacancy which now exists, hopefully, may be filled before the end of the month. It may take a little longer. I am expressing a personal opinion. But, again expressing a personal opinion, I think the President of the United States has made an excellent proposal in the nomination of Representative GERALD FORD, the Republican leader of the House of Representatives.

Mr. HUGH SCOTT. Mr. President, the nomination of GERALD FORD as Vice-President-designate has, as we have observed, met with widespread approval within and without Congress. It is a very happy appointment, in that a man has been designated who has had 25 years' legislative experience; who, like approximately half of us in this Chamber, will come over here as a graduate of the House of Representatives and of the Sam Rayburn school of political knowledge. Therefore, he already will be rather well acquainted with our ways and will quickly learn the Senate procedures, I have no doubt. It is a very fortuitous selection, because, as I said last night, it would help toward the healing process and the recognition of the necessity for continued and constructive legislative progress.

I agree with the distinguished majority leader in his hope that we can dispose of this matter before the end of the month. The country would expect of Congress responsible and expeditious action.

The 25th amendment is for us a case of first impression. Therefore, we have to make some legislative history. We have to have hearings; we have to have a reassuring examination about the nominee. But we do not have to have indefinite delays or inexcusable legislative maneuvering. So I would hope that we could act very promptly.

I hope the members of the Rules Committee will remain around town this lovely autumn day, so that we might meet socially for the purpose of exchanging ideas of one unofficial kind or another and that out of that may come some readiness or awareness of what we do next when the Senate, in its wisdom and kindness, agrees to permit us to go forward. Surely, we will not be confronted every day with the situation which confronts us today—an unfortunate situation, which we recognize as one we cannot do anything about. I do hope the distinguished chairman of the Rules Committee is prepared to meet on a highly social basis of mutual affability with all his flock.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. HUGH SCOTT. I yield.

Mr. CANNON. Mr. President, I announced yesterday that the Committee on Rules and Administration would meet at 10 o'clock this morning or as quickly thereafter as we were able to dispose of the two pending resolutions. Inasmuch as an objection has been made, we will have a social gathering sometime later this morning at the Rules Committee room; and, hopefully, if the Senate has adjourned, we may be able to have an official meeting after that, called on rather short notice. I hope the Members will stand by.

With respect to the speed and dispatch of the consideration of the nomination, I have already said that we will proceed in an orderly fashion, and we will proceed without undue delay. I have already contacted the Federal Bureau of Investigation, as I mentioned yesterday. I have been informed, however, that to complete a full-blown investigation by that agency would require approximately 2 weeks. So unless that time can be stepped up somewhat, I would not anticipate that we would be able to act on the nomination until we have been able to consider that. I had anticipated that perhaps the President might already have called for and had that type of investigation, but apparently it has not been done, and it should be done. We have already seen what happened as a result of perhaps inadequate investigation of a situation.

We will proceed with dispatch. We will proceed in an orderly fashion. I can assure the Senate that no member of the Rules Committee, to my knowledge, has any interest in trying to delay the matter and trying to do anything other than proceeding in an orderly fashion.

Mr. President, I happened to be reviewing the RECORD with respect to the remarks of the distinguished Senator from Massachusetts on yesterday. I am sorry that he is not on the floor this morning. I regret to take up this matter in his absence, but I think the RECORD should be made clear.

First, he argued that the Committee on the Judiciary ought to have jurisdiction. May I just say, simply, that even the distinguished chairman of the Judiciary Committee, the President pro tempore, who is presiding over the Senate at this moment, has made no claim that the Judiciary Committee has jurisdiction. So the claim comes from people who have perhaps less experience than the chairman of the committee.

One other point: The distinguished Senator from Massachusetts stated as follows:

> I think the American people will be surprised to realize that the Senate is considering the submission of the nominee to a committee with no experience in handling nominations. There has never been an instance in the history of this country in which the Rules Committee has considered a nomination.

That is an example of very, very poor staff work. The Rules Committee has considered many, many nominations since I have been a member of it. Within the past 4 months, the committee considered a nomination by the President to the Office of Public Printer, who governs the largest printing establishment in the world—not just the largest in this country. We have considered many nominations in the Rules Committee since I have been honored to be its chairman, and certainly many, many before.

I say to my distinguished colleague—and I regret again that he is not here—that I am a member of four committees, and we all have had considerable experience in considering nominations. I would venture to say that I have considered, as a member of those committees, three or four times more nominations than the distinguished Senator from Massachusetts.

Mr. HUGH SCOTT. I thank the distinguished Senator.

If there are a hundred names of people who have to be seen, it normally takes 2 weeks. Perhaps the FBI could be asked to proceed with all deliberate haste, and perhaps they could do it in 1 week. I do not know. We want it to be accurate and proper.

Mr. PASTORE. Mr. President, I think the record should be clear. There was never any attempt in any way to criticize the Committee on Rules and Administration and the membership thereof.

I want to endorse the fine things that have been said about Senator HOWARD CANNON and other members of the committee. This idea that a Member of the Senate, no matter what committee he is on, is not qualified to judge the qualifications of a nomination by the President is ridiculous. I know of no man who is more outstanding and better qualified than Senator CANNON.

The only reason some of us thought that this should have been handled as a special matter is due to the critical situation, and that was the only reason for it. But once the President has nominated someone from the House, and now the approval of the Congress looks almost like a foregone conclusion, I do not know why we should not take the position here to let it go to the Rules Committee and stop the argument.

QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business, not to extend beyond 10 a.m., with statements therein not to exceed 5 minutes per matter.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Is there morning business?

SENATE ACCOMPLISHMENTS

Mr. MANSFIELD. Mr. President, since the Senate may not be meeting every day during the next 2 weeks, I thought it might be appropriate at this point to insert a copy of the report on Senate Legislative Activity which is prepared by the staff of the Senate Democratic Policy Committee, summarizing the measures passed by the Senate this session. As we have noted before, the Senate can be proud of its performance this year, and I appreciate the cooperation and hard work of all Members in making this record of achievement possible.

I especially appreciate the cooperation and understanding of the distinguished Republican leader, the Senator from Pennsylvania (Mr. HUGH SCOTT). The same can be said for the distinguished Senator from West Virginia, the assistant majority leader (Mr. ROBERT C. BYRD); and the same can be said for the assistant Republican leader, the distinguished Senator from Michigan (Mr. GRIFFIN), as well as the Senate as a whole.

Included with the report is an index by subject of measures passed by the Senate and a list of items to which the Senate Democratic Conference in January gave priority and another list of the 50 measures mentioned by the President in his second state of the Union message, together with the status of these bills.

I ask unanimous consent that the material mentioned above be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in th RECORD, as follows:

OCTOBER 12, 1974.

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(93d Congress, 1st sess.) (by Senate Democratic Policy Committee)

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MEMORIALS, TRIBUTES, AND MEDALS

B. Everett Jordan Dam and Lake (S. 2282).
Cable Car Medals (S. 776).
Commemoration of Members of the Armed Services Who Served in the Vietnam War (S. Res. 117).
Eisenhower Memorial (S. 1264).
Fort Scott, Kansas (H.R. 7976).
James W. Trimble Dam (S. 2463).
Jim Thorpe Medals (H.R. 4507).
John Wesley Powell Federal Building (S. 1618).
Law Day (S.J. Res. 11).
Lyndon B. Johnson (S. Res. 24), (H. Con. Res. 90), (S. Res. 34).
Lyndon B. Johnson Space Center (S.J. Res. 37).
Members of the Armed Forces Missing in Action in Indochina (S. Res. 115).
Monument to 1st Infantry Division (S.J. Res. 66).
Richard B. Russell Dam and Lake (S. 2496).
Roberto Walker Clemente Medals (H.R. 3841).
Senator Stennis' Birthday (S. Res. 156).
Skylab III Astronauts (S. Res. 175).
Veterans Day (S. Con. Res. 51).
Vietnam War Memorial (S.J. Res. 45).

NATURAL RESOURCES—ENVIRONMENT

Alaska Pipeline (S. 1081).
American Falls Dam Replacement (S. 1529).
Arkansas River Basin Compact (S. 11).
Clean Air Act Extensions (S. 498), (H.R. 5445).
Eagles Nest Wilderness (S. 1864).
Endangered Species Act (S. 1983).
Flood Control Act (S. 606).
Grand Canyon National Park, Arizona (S. 1296).
Interstate Environment Compact Act (S. 9).
Land Use Policy and Planning Assistance Act (S. 268).
National Sea Grant College and Program Act of 1966 Amendments (H.R. 5452).
Oil Pollution Act Amendments (H.R. 5451).
Reimbursement for Sewage Treatment Facilities Construction (S. J. Res. 158).
Safe Drinking Water Act (S. 433).
Saline Water Program Authorization, 1974 (S. 1386).
Shenandoah National Park, Virginia (S. 988).
Solid Waste Disposal Act Extensions (S. 498), (H.R. 5446).
Strip Mining (S. 425).
Toxic Substances Control Act (S. 426).
United States Fishing Industry (S. Con. Res. 11).
Wasteland Treatment Plant Operations Training Program (S. 1776).
Water Resources Planning Act Amendments (S. 1501).

Wild and Scenic Rivers Act Amendments (S. 921).

NOMINATIONS

(Action by Roll Call Vote)

Alvin J. Arnett to be Director of the Office of Economic Opportunity.

Vincent R. Barabba to be Director of the Census.

Peter J. Brennan to be Secretary of Labor.

William P. Clements, Jr. to be a Deputy Secretary of Defense.

William Egan Colby to be Director of Central Intelligence.

Clarence M. Kelley to be Director of the Federal Bureau of Investigation.

Henry A. Kissinger to be Secretary of State.

Elliot L. Richardson to be Secretary of Defense.

Elliot L. Richardson to be Attorney General.

James R. Schlesinger to be Director of Central Intelligence.

James R. Schlesinger to be Secretary of Defense.

William L. Springer to be a Member of the Federal Power Commission.

Russell E. Train to be Administrator of the Environmental Protection Agency.

Caspar W. Weinberger to be Secretary of Health, Education, and Welfare.

PROCLAMATIONS

Digestive Disease Week (S.J. Res. 114).

Honor America Day (S. Con. Res. 27).

International Clergy Week in the United States (H.J. Res. 163).

Jim Thorpe Day (S.J. Res. 73).

Johnny Horizon '76 Clean Up America Month (H.J. Res. 695).

Middle East Crisis (S. Res. 179).

Mississippi River (S.J. Res. 102).

National Arthritis Month (H.J. Res. 275).

National Autistic Children's Week (H.J. Res. 296).

National Clean Water Week (H.J. Res. 437).

National Consumer Effort to Save Gas and Arrive Alive (S. Res. 138).

National Employ the Older Worker Week (H.J. Res. 334).

National Historic Preservation Week (S.J. Res. 51).

National Hunting nad Fishing Day (H.J. Res. 210).

National Legal Secretaries' Court Observance Week (H.J. Res. 466).

National Moment and Day of Prayer and Thanksgiving (H.J. Res. 246).

National Next Door Neighbor Day (S.J. Res. 25).

National Nutrition Week (S.J. Res. 99).

Nicolaus Copernicus Week (H.J. Res. 5).

Senator John C. Stennis Day (S. Res. 180).

Warsaw Ghetto Uprising (H.J. Res. 303).

Women's Equality Day (H.J. Res. 52).

SPACE

NASA Authorization, 1974 (H.R. 7528).

TRANSPORTATION AND COMMUNICATIONS

Aircraft Hijacking (S. 39).

#Airport Development Acceleration Act (S. 38).

Amtrak Improvement Act (S. 2016).

Bicentennial Advanced Technology Transportation System Demonstration Act (S. 797).

#Corporation for Public Broadcasting Authorization (S. 1090).

"Delta Queen" (H.R. 5649).

Emergency Commuter Relief (S. 386).

Emergency Rail Services Act Amendments (S. 2060).

Essential Rail Services Continuation Act (S. 1925).

Federal-aid Highway Act (S. 502).

Federal Railroad Safety Authorization Act (S. 2120).

Highway Safety Act (S. 893).

Interim Apportionment of Interstate and Other Highway Funds (S. 1808).

Interstate Apportionment (S. Con. Res. 6).

Ocean Transportation in Noncontiguous States and Territories (S. 902).

Rail Freight Car Shortage (S. Res. 59).

Railroad Retirement Act and Interstate Commerce Act Amendments (H.R. 7200).

Rolling Stock Utilization and Financing Act (S. 1149).

Ship Construction (H.R. 6187).

T.V. Blackout—Professional Sports (S. 1841).

West Coast Corridor Feasibility Study Act (S. 1328).

VETERANS

Drug and Alcohol Treatment and Rehabilitation Act (S. 284).

#Health Care Expansion Act (S. 59).

#National Cemeteries Act (S. 49).

Veterans' Administration Flexible GI Interest Rate Authority (H.R. 8949).

Veterans' Benefits (H.R. 9474).

#Vetoed 1972.

#Vetoed 1973.

OCTOBER 12, 1973.

SENATE LEGISLATIVE ACTIVITY

(93d Congress, 1st sess.) (by Senate Democratic Policy Committee)

Days in Session	144
Hours in Session	855: 01
Total Measures Passed	504
Public Laws	122
Treaties	16
Confirmations	51, 474
Record Votes	454

Symbols: P/H—Passed House; P/S—Passed Senate; *—Vetoed 1973; (VV)—Passed by Voice Vote; numbers in parenthesis indicate number of record vote on passage or reconsideration.

Agriculture: Agriculture and Consumer Protection Act

Amends the Agricultural Act of 1970 and extends, in general, the present farm program, with the following and other provisions.

TARGET PRICES

Establishes for the 1974 through 1977 crops a new "target price" method of price-support payments for wheat, feed grains (corn, grain sorghums, and, if designated by the Secretary of Agriculture, barley), and cotton on all allotted acres using an established price, which is also the "target price" for the first two years of the program, and results in a target price of $2.05 per bushel for wheat, $1.38 per bushel for corn (with reasonable rates to be set for grain sorghums, and if designated, barley, in relation to the rate for corn), and 38 cents per pound for cotton for the 1974 and 1975 crops, with future target prices to be set by evaluating an established price in subsequent years and increasing or decreasing it to reflect changes in prices paid as shown by an index of production costs (production items, interest, taxes, and farm wage rates) published by the Department of Agriculture; provides under this method of payment, that a producer will receive a payment equal to the difference between the target price and the average price received by farmers the first 5 months of the marketing year or the loan level, with no payment to the producer if market prices are higher than or equal the target price, instead of, as at present, for wheat, payments on the domestic allotment only, and not on the export allotment, of the difference between the average market price for the first 5 months of the marketing year and 100 percent of parity, but not less than 75 percent of parity; for corn, payment of the difference between such average market price and the greater of $1.35 per bushel or 70 percent of parity, with a guarantee of 100 percent of parity on one-half the domestic allotment; for cotton, payment of the difference between such average market price and 35 cents per pound or 65 percent of parity adjusted according to the national base acreage allotment, including a minimum payment of 15 cents per pound whatever the market price.

OTHER PROVISIONS

Changes the present $55,000 per crop limitation on wheat, feed grains, and cotton to $20,000 per farmer applicable to income supplement payments only;

Suspends the wheat marketing certificate collections from processors on July 1, 1973; extends the suspension of wheat marketing quotas through 1977; provides for payments to farmers in the case of a natural disaster or other circumstances beyond a farmer's control that prevent the planting or harvesting of crops; provides for a cost-sharing program to eradicate the boll weevil or other major cotton insect;

Continues the dairy indemnity program; increases the minimum dairy support price on manufactured milk to 80 percent of parity for the balance of this marketing year and for the next marketing year, which ends March 31, 1975;

Continues the wool program; provides forestry incentives for small farmer forest owners; extends and expands the food stamp program;

Provides, regarding the rural environmental conservation program, a permanent requirement for 3, 5, 10, and 25 year contracts, and perpetual easements to carry out the purposes of the rural environmental assistance program (REAP), Great Plains, and water bank programs; provides 50 percent cost-sharing for rural firefighting equipment;

Provides that the Secretary of Agriculture shall establish a disaster reserve of inventories not to exceed 75 million bushels of wheat, feed grains, and soybeans for alleviating distress caused by a natural disaster; provides that the President shall make appropriate adjustments in the maximum price which may be charged under the provisions of Executive Order 11723, dated June 13, 1973, or subsequent order, for any agricultural products (at any point in the distribution chain) as to which the Secretary of Agriculture certifies to the President that the supply of the product will be reduced to unacceptably low levels as a result of any price control or freeze order or regulation and that alternative means are not available;

And contains other provisions. S. 1888. Public Law 93–86, approved August 10, 1973. (181)

AGRICULTURE AND CONSUMER PROTECTION ACT AMENDMENT

Amends, because of the administrative difficulties involved, the provisions of the Agricultural Act of 1949 as amended by the Agriculture and Consumer Protection Act of 1973 which provide for payments to farmers in the event of crop failures with respect to crops planted in lieu of wheat or feed grains. to limit the payments for such other crops to soybeans, cotton, corn, grain sorghums, barley and wheat. S. 2491. P/S October 11, 1973. (VV)

CENSUS OF AGRICULTURE

Directs the Secretary of Commerce to submit, within 30 days of enactment of this resolution, an estimate of funds needed to carry out the statutory mandate for conducting a census of agriculture in 1974; requires that funds heretofore or hereafter appropriated for planning the 1974 census shall be utilized for such purpose; and directs the Secretary to take the necessary action to insure that the data acquired from the 1974 census be made public through appropriate publication as soon as practicable following the taking of such census. S.J. Res. 95. P/S June 22, 1973. (VV)

EMERGENCY TOBACCO ALLOTMENT TRANSFER

Authorizes the Secretary of Agriculture to permit the transfer of tobacco acreage allotments across county lines in 1973 in 12 named counties in Georgia and South Carolina if he finds that one of the counties has

suffered an overall loss of 10 percent or more in the number of acres of tobacco planted as a result of a natural disaster and that the lease will not impair the program and provides that the provisions of the act shall apply only to those farms which had suffered a loss of 30 percent or more in the number of acres of tobacco planted, in which case the transfer would have to be to a farm in the same or a nearby county within the State having an allotment for the same kind of tobacco. H.R. 9172. Public Law 93–80, approved August 1, 1973. (VV)

FEED GRAIN SET-ASIDE PROGRAM

Increases the payment rate for option B participants in the feed grain program to assure option B participants the same parity guarantees which option A participants now have. S. 1572. P/S April 18, 1973. (VV)

FOREST SERVICE PERSONNEL LEVEL

Requires that the number of permanent, full-time Forest Service employees employed by the Department of Agriculture to carry out the activities of the Forest Service be maintained at not less than 450 above the June 30, 1973 ceiling of 20,404 permanent, full-time personnel. S.J. Res. 134. P/S July 20, 1973. (VV)

INDIAN RIVER GRAPEFRUIT PROMOTION

Permits marketing orders for Florida Indian River grapefruit to provide for crediting a handler's direct market promotion expenditures against his assessment for market promotion expenses under the order. S. 1945. P/S June 28, 1973. (VV)

MEAT AND POULTRY INSPECTION AMENDMENTS

Amends the Federal Meat Inspection Act and the Poultry Products Inspection Act to increase (beginning fiscal year 1974) the maximum Federal contribution to the cost of any State meat or poultry inspection system from 50 to 80 percent, and provides that the total cost of any cooperative arrangement for meat or poultry inspection purposes to be contributed under the Talmadge-Aiken Act (Public Law 87–718) shall be equal to the highest percentage contributed to any State under either of these acts. S. 1021. P/S April 2, 1973. (73)

RABBIT MEAT INSPECTION

Makes rabbit meat inspection mandatory, at Federal cost, by extending the provisions of the Poultry Products Inspection Act to rabbits and rabbit products, and sets the effective date of the provisions of the bill at July 1, 1973. S. 43. P/S February 21, 1973. (VV)

RICE ALLOTMENT TRANSFER

Permits rice growers who are unable to plant part or all of their farm acreage allotments in 1973 because of flood or other natural disaster to transfer their allotments to other farms in the same or adjoining county. H.R. 6883. Public Law 93–27, approved April 27, 1973. (VV)

RURAL DEVELOPMENT LOANS

Authorizes the Secretary of Agriculture to make loans from the Rural Development Fund, for periods of up to 5 years, to private profit or nonprofit Rural Loan Investment Companies (RLIC) organized solely to purchase, service, sell, or otherwise deal in loans made by private financial agencies (which could borrow up to 20 times its net assets from the Rural Development Insurance Fund at the same interest rate the Treasury Department must pay to borrow funds) for purposes for which loans can be made under the Consolidated Farm and Rural Development Act. S. 2470. P/S October 9, 1973. (VV)

RURAL ELECTRIC AND TELEPHONE LOANS

Amends the Rural Electrification Act of 1936, as amended, to provide a revised program for rural electric and telephone loans; creates a revolving fund with unlimited borrowing authority, for the making of insured rural electric and telephone loans; provides that such insured loans will bear interest at five percent to two percent, with two percent loans to be available only if the borrower (a) has an average subscriber density of two or fewer per mile; or (b) has an average gross revenue of at least $450 below the average (for electric borrowers) or $300 below the average (for telephone borrowers); or, if the Administrator of the Rural Electrification Administration, in his sole discretion, finds that (c) the borrower has experienced extenuating circumstances or severe hardship; or (d) cannot produce net income before interest of at least 150 percent of its total interest requirements and still meet the objectives of the act; or (e) cannot without an excessive rate increase provide service consistent with the act; authorizes the guarantee of rural electric and telephone loans made by other lenders with interest at rates agreed upon by borrowers and lenders; requires loans made for rural electric and telephone facilities under the Consolidated Farm and Rural Development Act to be refinanced under the Rural Electrification Act of 1936 at the request of the borrower; provides that financial transactions of the Fund in interim notes and insured obligations (section 304), insured loans and advances (section 305(a)), and guaranteed loans (section 306) are not to be included in the totals of the budget of the United States and shall be exempt from any limitation imposed by statute on expenditures and net lending (budget outlays) of the United States; and contains other provisions. S. 394, Public Law 93–32, approved May 11, 1973. (20,118)

RURAL ENVIRONMENTAL ASSISTANCE (REAP) AND WATER BANK PROGRAMS

Requires the Secretary of Agriculture (1) to make payments under the rural environmental assistance program (REAP) in the full amount appropriated therefor, and (2) to enter into agreements under the water bank program to the full extent permitted by available appropriations therefor. H.R. 2107. P/H February 7, 1973; P/S amended March 1, 1973; Conference report filed. (26) (Comparable provisions are contained in the Agricultural Act which became Public Law 93–86.)

*RURAL WATER AND WASTE DISPOSAL GRANT PROGRAM

Requires the Secretary of Agriculture to make grants in the full amounts appropriated for the Farmers Home Administration water and waste disposal grant program which was terminated by the Department of Agriculture effective January 1, 1973. H.R. 3298. Vetoed April 5, 1973. House sustained veto April 10, 1973. (55)

WHEAT REFERENDUM

Permits the wheat marketing quota referendum with respect to the national marketing quota for the 1974 crop (which, since the Agricultural Act of 1970 extends only to the 1973 crop, otherwise would be required to be held no later than August 1, 1973, for the 1974 crop) to be deferred until the earlier of October 15, 1974, or 30 days after the adjournment of the 1st session of the 93d Congress, thereby permitting Congress a further opportunity to develop new legislation. S. 1938. Public Law 93–68, approved July 10, 1973. (VV)

WOODSY OWL

Authorizes the Secretary of Agriculture to establish and collect use or royalty fees for the manufacture, reproduction, or use of the character and name, "Woodsy Owl," and the associated slogan "Give a Hoot, Don't Pollute," originated by the Forest Service; and contains other provisions. S. 1585. P/S June 14, 1973. (VV)

APPROPRIATIONS, 1973

FURTHER CONTINUING APPROPRIATIONS

Extends the existing continuing resolution (Public Law 92–334) from February 28, 1973, to June 30, 1973, at the annual funding level, to provide further continuing appropriations for the activities covered by the Foreign Asssistance and Related Programs Appropriation Act, the Departments of Labor and Health, Education, and Welfare, and Related Agencies Appropriation Act, neither of which have yet been enacted, and authorizes $6,224,000 for the American Revolution Bicentennial Commission; requires the President to submit periodic reports on impoundments to Congress; and contains other provisions. H.J. Res. 345. Public Law 93–9, approved March 8, 1973. (VV)

*SECOND SUPPLEMENTAL APPROPRIATIONS

Makes supplemental appropriations for the fiscal year ending June 30, 1973, in the amount of $3,362,845,279 for the following: Agriculture-Environmental and Consumer Protection; Defense; District of Columbia; Foreign Operations; Housing and Urban Development, Space, Science, and Veterans'; Interior and Related Agencies; Labor, and Health, Education and Welfare; Legislative; Public Works; State, Justice, Commerce, and Judiciary; Transportation; Treasury, Postal Service, and General Government; and Claims and Judgments; prohibits the expenditure of funds appropriated in this act to aid or assist in the reconstruction of North Vietnam; provides that no funds may be transferred on or after the effective date of this act under the authority of section 735 of the Department of Defense Appropriations Act, 1973, to support directly or indirectly U.S. combat activities in, over or from off the shores of Cambodia or in or over Laos by U.S. forces; and provides that "none of the funds herein appropriated under this Act or heretofore appropriated under any other Act may be expended to support directly, or indirectly combat activities in, over or from off the shores of Cambodia or in or over Laos by U.S. forces"; prohibits the use of any appropriation contained in this or any other act for publicity or propaganda purposes for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress except in presentation to the Congress itself; and contains other provisions. H.R. 7447. Vetoed June 27, 1973. House sustained veto June 27, 1973. (155, 218)

Contains identical sums and provisions for the various items of the several departments and agencies as in the vetoed bill; provides that no funds appropriated in this act shall be expended to aid or assist in the reconstruction of the Democratic Republic of Vietnam (North Vietnam); provides that none of the funds herein appropriated under this act may be expended to support directly or indirectly combat activities in or over Cambodia, Laos, North and South Vietnam or off the shores of Cambodia, Laos, North and South Vietnam by United States forces, and after August 15, 1973, no other funds heretofore appropriated under any other act may be expended for such purpose; and contains other provisions. H.R. 9055. Public Law 93–50, approved July 1, 1973. (254)

URGENT SUPPLEMENTAL APPROPRIATIONS

Appropriates $1,368,600,000 for supplemental appropriations for fiscal year 1973 for the Civil Aeronautics Board, the Veterans' Administration, the Department of Health, Education, and Welfare, and the General Services Administration, of which $122.1 million is for the basic educational opportunity grant program, $210.3 million for the supplemental educational opportunity grant program, $270.2 million for the college work-study program, and $269.4 for the direct student loan program under the Department of Health, Education, and Welfare, and provides additional funding for fiscal year 1973 to schools in federally impacted areas. H.J.

Res. 496. Public Law 93–25, approved April 26, 1973. (100)

1974: AGRICULTURE-ENVIRONMENTAL AND CONSUMER PROTECTION

Appropriates a total of $9,927,667,000 new obligational authority for fiscal year 1974 of which $5,088,568,000 is for agricultural programs, $394,322,000 for rural development programs, $1,062,177,000 for environmental programs, and $3,382,600,000 for consumer programs. H.R. 8619. Public Law 93– , approved 1973 (245).

CONTINUING APPROPRIATIONS

Makes continuing appropriations to avoid interruption of continuing government functions until: (a) the enactment into law of an appropriation for any project or activity provided for in this joint resolution; or (b) enactment of the applicable appropriation act by both Houses without any provision for such project or activity; or (c) September 30, 1973, whichever first occurs; provides that new obligational authority under this act to carry out the Foreign Assistance Act of 1961, as amended, and the Foreign Military Sales Act, as amended, shall not exceed an annual rate of $2.2 billion, and shall not be funded at a rate exceeding one quarter of such annual rate; provides that, notwithstanding any other provision of law, on or after August 15, 1973, no funds herein or heretofore appropriated may be obligated or expended to finance directly or indirectly combat activities by United States military forces in or over or from off the shores of North Vietnam, South Vietnam, Laos or Cambodia; provides that, unless specifically authorized by Congress, none of the funds herein appropriated under this joint resolution or heretofore appropriated under any other act may be expended for the purpose of providing assistance in the reconstruction or rehabilitation of the Democratic Republic of Vietnam (North Vietnam); and contains other provisions. H.J. Res. 636. Public Law 93–52, approved July 1, 1973. (253)

Extends the Continuing Resolution, Public Law 93–52, making further continuing appropriations for fiscal year 1974, from September 30 to October 11, 1973. H.J. Res. 753. Public Law 93–118, approved 10/4/73. (VV)

Extends the Continuing Resolution, Public Law 93–52, making further continuing appropriations for fiscal year 1974, until the sine-die adjournment of the first session of this Congress, and supersedes H.J. Res. 753 which temporarily extend the date of Public Law 93–52 from September 30 to October 11, 1973; provides that none of the funds made available by this Act shall be used by the Cost of Living Council to formulate or carry out a program which discriminates among petroleum marketers in the method of establishing prices for petroleum products; exempts the Export-Import Bank from the requirement that the funding rate for activities covered by the Foreign Assistance Appropriation Bill shall not exceed one quarter of the annual rate as provided by the joint resolution; and provides that no State in the aggregate will receive less than 90 percent of the amount it received in fiscal year 1972, for grants to local educational agencies, and that no local educational agency shall receive less than 90 percent nor more than 115 percent of what it received in fiscal year 1973. H.J. Res. 727. Public Law —, approved —, 1973. (446)

DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES

Appropriates $4,459,478,250 for fiscal year 1974 for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies; and contains other provisions. H.R. 8916. P/H June 29, 1973; P/S amended September 17, 1973; Conference report filed. (385)

DISTRICT OF COLUMBIA

Appropriates for the District of Columbia a total of $417,717,000 in Federal funds of which $187,450,000 represents the Federal payment to the District, and $954,731,200 in District of Columbia funds for fiscal year 1974. H.R. 8658. Public Law 93–91, approved August 14, 1973. (302)

HOUSING AND URBAN DEVELOPMENT, SPACE, SCIENCE, VETERANS, AND CERTAIN OTHER INDEPENDENT AGENCIES

Appropriates $20,884,223,000 for the Department of Housing and Urban Development, Space, Science, Veterans, and certain other independent executive agencies, boards, commissions, corporations, and offices for fiscal year 1974. H.R. 8825. P/H June 22, 1973; P/S amended June 30, 1973; House adopted conference report October 11, 1973. (371)

INTERIOR AND RELATED AGENCIES

Appropriates $2,443,137,200 in new budget obligational authority for fiscal year 1974 for the Department of the Interior and related agencies including the U.S. Forest Service. H.R. 8917. Public Law 93–120, approved October 4, 1973. (350)

LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES

Appropriates $33,396,379,000 for the Departments of Labor, and Health, Education, and Welfare and related agencies for fiscal year 1974 ($830,682,000 for the Department of Labor; $31,998,460,000 for the Department of Health, Education, and Welfare; and $567,237,000 for related agencies). H.R. 8877. P/H June 26, 1973; P/S amended October 4, 1973; In conference. (447)

LEGISLATIVE BRANCH

Appropriates a total of $640,558,952 in new budget obligational authority for the Legislative Branch for fiscal year 1974. H.R. 6691. P/H April 18, 1973; P/S amended July 19, 1973; Conference report filed. (300)

PUBLIC WORKS FOR WATER AND POWER DEVELOPMENT AND ATOMIC ENERGY COMMISSION

Appropriates $4,749,403,000 in new budget obligational authority for fiscal year 1974 for Public Works for Water and Power Development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian Regional Development Commission, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions. H.R. 8947. Public Law 93–97, approved August 16, 1973. (305)

TRANSPORTATION AND RELATED AGENCIES

Appropriates $2,898,466,006 in new budget obligational authority for fiscal year 1974 for the Department of Transportation including: the Coast Guard; Federal Aviation, Federal Railroad, and Urban Mass Transportation Administrations; and the St. Lawrence Seaway Development Corporation; and for related agencies: the National Transportation Safety Board, Civil Aeronautics Board, Interstate Commerce Commission, Panama Canal, and $90 million advanced appropriations for fiscal year 1975 for Washington Metropolitan Area Transit Authority. H.R. 8760. Public Law 93–98, approved August 16, 1973. (336)

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT

Appropriates a total of $5,123,352,000 for fiscal year 1974 for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies. H.R. 9590. P/H August 1, 1973; P/S amended September 5, 1973; Conference report filed. (365)

CONGRESS: BUDGET MESSAGE, ECONOMIC REPORT, AND IMPOUNDED FUNDS

Extends to January 29, 1973, the time for the President to submit to Congress the budget for fiscal year 1974; extends to January 31, 1973, the time for transmittal of the economic report; extends the time for the Joint Economic Committee to file its report on the President's economic report not later than March 10, 1973; and requires the President to transmit to Congress by February 10, 1973, a report with respect to all funds impounded from October 27, 1972, and before January 29, 1973; and from July 1, 1972, and before October 27, 1972. H.J. Res. 1, Public Law 93–1, approved January 19, 1973. (VV)

COMMITTEE MEETINGS—RULE XXV

Amends Senate rule XXV to provide that meetings for the transaction of business of each standing committee of the Senate shall be open to the public, except during closed sessions for marking up bills, for voting, or when the committee by majority vote orders a closed session: Provided that any such closed session may be open to the public, if the committee by rule or majority vote so determines. S. Res. 69. Senate adopted March 6, 1973. (28)

CONGRESSIONAL AND SUPREME COURT PAGES

Provides for replacement of the existing Congressional and Supreme Court page corps with an older group of pages (18 to 21 years of age) who would not require the after-hours supervision many feel is necessary for the younger pages; repeals the authority in existing law for the construction of a residential page classroom and dormitory building; and contains other provisions. S. 2067. P/S July 12, 1973. (VV)

CONGRESSIONAL FRANKING REFORM

Establishes for the first time criteria for what is frankable and what is not frankable under the definition of official business as passed by the Congress in title 30 of the United States Code; empowers the Senate Select Committee on Standards and Conduct with original jurisdiction to provide guidance, assistance, advice and counsel to Senators through advisory opinions or consultations in connection with the mailing of franked mail; and contains other provisions. H.R. 3180. P/H September 17, 1973; P/S amended October 11, 1973; House requested conference October 12, 1973. (VV)

FEDERAL CONSTITUTIONAL CONVENTION PROCEDURES ACT

Provides the procedural machinery necessary to effectuate that part of article V of the Constitution of the United States which authorizes a convention called by the States to propose specific amendments to the Constitution; clarifies Congressional authority with regard to the specific procedures for a constitutional convention called by the States; and contains other provisions. S. 1272. P/S July 9, 1973. (VV)

FEDERAL IMPOUNDMENT CONTROL PROCEDURES ACT

Requires, in Title I of the bill, Impoundment Control Procedures, that the President, when a budget authority is impounded, shall send a special message to the Congress specifying the amount of the budget authority impounded, the reasons therefor, and to the extent practicable, the estimated fiscal, economic, and budget effect thereof; provides that, unless Congress acts to ratify the impoundment or if it acts to disapprove it, by concurrent resolution within 60 days of continuous session after receipt of the message, that the obligation of the budget authority is mandatory and those funds may not be reimpounded; sets, in Title II of the bill, a ceiling of $268 billion on expenditures and net lending for fiscal year 1974; provides that the President shall reserve such amounts as may be necessary to keep within the ceiling, and that the reservations shall be made proportionately by functional category, and, where practicable, subfunctional category, as set out in the 1974 U.S. Budget in Brief, with the exception that no reservations shall be made from amounts available for interest, veterans' benefits and services,

payments from social insurance trust funds, public assistance grants under Title IV of the Social Security Act, food stamps, military retirement pay, medicaid, and judicial salaries; and contains other provisions. S. 373. P/S May 10, 1973; P/H amended July 25, 1973; In conference. (126, 127)

JOINT ECONOMIC REPORT—EXTENSION

Extends from March 10, 1973, to April 1, 1973, the time for the Joint Economic Committee to submit its report on the President's Economic Report. H.J. Res. 299. Public Law 93–7, approved February 16, 1973. (VV)

PRESIDENTIAL ELECTION CAMPAIGN OF 1972: SELECT COMMITTEE ON PRESIDENTIAL ELECTION CAMPAIGN ACTIVITIES

Establishes a Select Committee on Presidential Campaign Activities, consisting of 7 members of the Senate, to conduct an investigation and study of the extent to which illegal, improper, or unethical activities were engaged in by persons acting either individually or in combination with others in the Presidential election campaign of 1972, and to determine whether, in its judgment, there is a necessity to enact new legislation to safeguard the electoral process by which the President of the United States is elected; provides for the appointment, by the President of the Senate, of the 7 member panel to consist of 4 members of the majority party and 3 members of the minority party, upon the recommendation of their respective leaders; empowers the committee to make a complete investigation and study of matters relating to the breaking, entering, and bugging of the Democratic National Committee in the Watergate Building in Washington, D.C., and sets the time for the committee to file a report of its findings at not later than February 28, 1974; authorizes an amount not to exceed $500,000 for committee expenses to be paid from the contingent funds of the Senate; and contains other provisions. S. Res. 60. Senate adopted February 7, 1973. (13)

Amends S. Res. 60 to increase the authorization for expenses of the Select Committee on Presidential Election Campaign Activities through February 7, 1974, from $500,000 to $1 million of which not to exceed $40,000 shall be available for the procurement of the services of individual consultants or organizations thereof. S. Res. 132. Senate adopted June 25, 1973 (VV)

Authorizes the Chairman of the Select Committee on Presidential Election Campaign Activities, Senator Sam J. Ervin, to appear and testify before the U.S. district court for the Southern District of New York in a criminal case entitled United States of America vs. John N. Mitchell, Maurice Stans, and others, which involves a campaign contribution for $250,000 allegedly made by Robert Vesco. S. Res. 181. Senate adopted October 10, 1973. (VV)

SPECIAL PROSECUTOR FOR WATERGATE INVESTIGATION

States the sense of the Senate that the President should (1) immediately designate an individual of the highest character and integrity outside the Executive Branch to serve as special prosecutor for the government of the United States in any and all criminal investigations, indictments, and actions arising from any illegal activity by any persons, acting individually or in combination with others, in the Presidential election of 1972, or any campaign, canvass, or other activity related to it; (2) grant such special prosecutor all authority necessary and proper to the effective performance of his duties; and (3) submit the name of such designee to the Senate, requesting a resolution of approval thereof. S. Res. 105. Senate adopted May 1, 1973. (VV)

RULES OF EVIDENCE—CONGRESSIONAL CONSIDERATION

Provides that notwithstanding any other provisions of law, that the proposed Rules of Evidence for United States Courts and Magistrates, the Amendments to the Federal Rules for Civil Procedure, and the Amendments to the Federal Rules for Criminal Procedure which are contained in the orders entered by the Supreme Court on November 20, 1972, and December 18, 1972, and transmitted to Congress by the Chief Justice on February 5, 1973, shall have no force and effect except to the extent, and with such amendments, as they may be expressly approved by Act of Congress. S. 583. Public Law 93–12, approved March 30, 1973. (VV)

SECRET GOVERNMENT DOCUMENTS

Establishes an ad hoc committee of the Senate to conduct a study and submit to the Senate by June 30, 1973, a report and recommendations on all questions relating to the secrecy, confidentiality, and classification of government documents committed to the Senate or any member thereof. S. Res. 13. Senate adopted January 9, 1973. (VV)

SENATE CONFIRMATION OF NOMINATIONS: CERTAIN FEDERAL OFFICES

Requires that future appointments to fill vacancies in the offices of the head of the new Mining Enforcement and Safety Administration, the Director of the Bureau of Land Management, the National Park Service, and the Bureau of Outdoor Recreation, the Commissioner of Reclamation, and the Governor of American (Eastern) Samoa shall be made by the President by and with the advice and consent of the Senate and provides that such appointees shall serve at the pleasure of the President for a term of not to exceed 4 years subject to reappointment and confirmation. S. 1828. P/S July 25, 1973. (316)

COST OF LIVING COUNCIL

Requires that appointments to the Office of Director of the Cost of Living Council shall be made by the President by and with the advice and consent of the Senate. S. 421. P/S January 23, 1973. (VV)

EXECUTIVE OFFICE APPOINTEES

Requires that appointments by the President to fill the offices of Executive Secretary of the National Security Council and the Executive Director of the Domestic Council, which are made after the effective date of this act, shall be subject to Senate confirmation, and provides that if the International Economic Policy Act of 1972 is extended beyond its present expiration date of June 30, 1973, the Executive Director of the Council on International Economic Policy also shall be appointed by and with the advice and consent of the Senate, and that no individual shall serve in that office after that date unless so appointed. S. 590. P/S May 9, 1973. (122)

HEADS OF EXECUTIVE DEPARTMENTS

Provides that the nead of any executive department as defined in 5 U.S.C. 101 (the Departments of State; Treasury; Defense; Justice; Interior; Agriculture; Commerce; Labor; Health, Education, and Welfare; Housing and Urban Development; and Transportation) shall serve for a term of 4 years, subject to Senate confirmation, beginning at noon on January 20 of the year in which the term of the President appointing such department head begins, except that (1) the term of the head of any executive department serving on the date of the enactment of this act shall begin on such date and expire at noon on January 20, 1977, and (2) a person appointed to fill a vacancy occurring prior to the expiration of the term for which his or her predecessor was appointed shall serve only for the unexpired portion of that term, thus requiring that Cabinet officials retained by a President serving a second term must be confirmed by the Senate prior to reappointment; provides that nothing in this act shall be construed to affect the power of the President to remove any department head; and contains other provisions. S. 755. P/S May 2, 1973. (106)

*OFFICE OF MANAGEMENT AND BUDGET

Abolishes and reestablishes as new offices the offices of Director and Deputy Director of the Office of Management and Budget and provides that the offices shall be filled by the President, by and with the advise and consent of the Senate, with the provisions of this act to take effect 30 days after enactment. S. 518. Vetoed May 18, 1973; Senate overrode veto May 22, 1973; House sustained veto May 23, 1973. (6,144)

Amends the Budget and Accounting Act, 1921, to provide a 4 year term of office for the offices of Director and Deputy Director of the Office of Management and Budget beginning on January 20 of the year the President's term begins, except that the terms of the present incumbents shall expire January 20, 1977, and provides that an appointment made when a vacancy occurs before the expiration of the incumbent's term shall be made only for the unexpired portion of the term; requires that appointments by the President to fill the offices of Director and Deputy Director be subject to the advice and consent of the Senate; provides that this requirement is to become applicable to either office if the incumbents are reappointed or immediately after the individual holding the office ceases to hold the office; transfers from the President to the Office of Director, Office of Management and Budget, all of the functions which were vested by law in the Bureau of the Budget, and its Director, and transferred to the President by Reorganization Plan No. 2 of 1970; and contains other provisions. S. 37. P/S June 25, 1973. (210)

Establishes a 4 year term of office for the offices of Director and Deputy Director of the Office of Management and Budget beginning on January 20 of the year the President's term begins, except that the terms of the present incumbents shall expire January 20, 1977, and provides that an appointment made when a vacancy occurs before the expiration of the incumbent's term shall be made only for the unexpired portion of the term; requires that appointments by the President to fill the offices of Director and Deputy Director be subject to the advice and consent of the Senate, and provides that this requirement is to become applicable to either office upon expiration of the term or immediately after the individual holding the office ceases to hold the office; requires that the Executive Director of the Domestic Council and the Executive Secretary of the National Security Council shall be appointed by the President by and with the advice and consent of the Senate, and provides that this requirement shall apply to appointments made to these offices after the date of enactment of this act. S. 2045. P/S June 25, 1973. (211)

WAR POWERS ACT

Requires the President to consult with Congress before introducing U.S. Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly indicated; in the absence of a declaration of war, requires the President to submit within 48 hours to the Congress a report setting forth the circumstances necessitating the introduction of forces, the constitutional and legislative authority for such action, and the estimated scope and duration of the hostilities or involvement, such report to be made at least every six months; requires the President to terminate the use of the Armed Forces within 60 days after submission of the report to Congress unless the Congress (1) has declared war or has specifically authorized such use of the Armed Forces, (2) has extended by law the 60 day period, or (3) is physically unable to meet as a result of an armed attack; provides that the 60 day period may be extended for 30 days if the President determines and certifies in writing to Congress the need for the use of the forces in bringing about a prompt removal of the forces; provides that authority to introduce Armed Forces into hostilities or situations where involvement in hostilities is indicated shall not be inferred from any provision of law, including appropriations measures or

treaties, unless such authority is specifically authorized; and contains other provisions. H.J Res. 512. Public Law 93—, approved ——— 1973, (303, 451)

CRIME-JUDICIARY: AMENDMENTS OF 1973 TO FEDERAL LAWS RELATING TO EXPLOSIVES

Amends section 845(a) of title 18 U.S.C. to entirely exempt commercially manufactured black powder, percussion caps, safety and pyrotechnic fuses, quills, quick and slow matches, and friction primers intended to be used solely for sporting, recreational or cultural purposes in antique firearms and certain antique devices from regulation under title XI of the Organized Crime Control Act of 1970 (P.L. 91–452) relating to explosives, and amends section 921(c)(4) of title 18 U.S.C. to add language exempting from the term "destructive device" in the Gun Control Act of 1968 (P.L. 90–618) antique devices such as small, muzzle-loading cannon used for recreational and cultural purposes. S. 1083. P/S July 13, 1973. (278)

ANTITRUST PROCEDURES AND PENALTIES ACT

Changes certain specifics in the manner in which consent decrees in civil antitrust cases are formulated by providing that the district court shall make an independent determination as to whether or not the entry of a proposed consent decree is in the public interest as expressed by the antitrust laws by (1) encouraging additional comment by interested parties, (2) requiring that the Department of Justice file a public impact statement, and (3) requiring the defendant to disclose all communications made on behalf of the firm relating to the consent decree other than those made exclusively by counsel of record; increases the fines for criminal violations of the Sherman Act from $50,000 to $100,000 for individuals and $500,000 for corporations; amends the Expediting Act to require that final judgments and interlocutory orders in certain civil antitrust cases if appealed, be heard by the circuit courts of appeals; eliminates the provision that a three-judge court be impaneled in civil actions where the United States is the plaintiff under the Sherman or Clayton Antitrust Acts or certain sections of the Interstate Commerce Act upon the filing by the Attorney General with the district court of a certificate that the cases are of general public importance; provides for direct appeal to the Supreme Court from final judgments of the district court only in cases certified by the district judge upon the application of either party to be of general public importance; and contains other provisions. S. 782. P/S July 18, 1973. (293)

CIVIL REMEDIES FOR VICTIMS OF RACKETEERING ACTIVITY AND THEFT

Amends title 18 of the United States Code to strengthen civil remedies for victims of racketeering activity and provide a civil action for damages resulting from violations of section 659 title 18 of the United States Code, which relates to crime involving property in interstate or foreign commerce. S. 13. P/S March 29, 1973. (VV)

COMMISSION ON BANKRUPTCY LAWS

Requires the Commission on Bankruptcy Laws of the United States to submit a comprehensive report of its activities, including its recommendations, to the President, the Chief Justice of the United States, and the Congress prior to July 31, 1973; provides for termination of the Commission 30 days after the submission of its final report; and provides that appropriated funds shall remain available until expended or until the Commission ceases to exist. H.J. Res. 499. Public Law 93–56, approved July 1, 1973. (VV)

COMMUNITY SUPERVISION AND SERVICES ACT

Authorizes a program of community supervision and services for selected criminal defendants in the Federal court system, to divert them to a program of intensive treatment and supervision prior to trial. S. 798. P/S October 4, 1973. (VV)

CRIME CONTROL ACT

Extends the Department of Justice Law Enforcement Administration (LEAA) program for three years and authorizes appropriations therefor of $1 billion for each of fiscal years 1974 and 1975, and $1.25 billion for fiscal year 1976; vests all policy and administrative authority in the Administrator and replaces the two Associate Administrators by a Deputy Administrator for Policy Development and a Deputy for Administrative Management; strengthens Federal supervision over the States' planning process; requires a program for the improvement of juvenile justice as part of the comprehensive State plan; increases the minimum planning allocation to each State from $100,000 to $200,000 to assure the continued flow of adequate funds to cities; requires regional planning boards to include a majority of local elected officials; places time limits on plan approval in order to expedite funds flow; revises the matching fund requirements to eliminate non-cash matching; reduces the non-Federal matching share from 25 to 10 percent with the new 90 to 10 matching ratio to apply to all grants requiring matching-planning, action, and corrections improvements grants; requires, with a limited transition time for waiver, States to contribute in the aggregate, at least 50 percent of the local share of the costs of both planning and action programs by increasing the State "buy-in" for action grants from 25 to 50 percent, and from 0 to 50 percent for planning grants, and adds "buy-in" provisions regarding corrections grants; retains and strengthens the law enforcement education program; and contains other provisions. H.R. 8152. Public Law 93–83, approved August 6, 1973. (VV)

DISQUALIFICATION OF JUDGES

Makes the statutory grounds for disqualification of a judge in a particular case conform generally with the recently adopted canon of the Code of Judicial Conduct which relates to disqualification of judges for bias, prejudice or conflict of interest. S. 1064 P/S October 4, 1973. (VV)

INMATE FURLOUGHS; COMPENSATION FOR VICTIMS OF VIOLENT CRIME

Broadens provisions of law to allow prison inmate furloughs for the purpose of establishing or reestablishing family and community ties, or for any other significant reason consistent with the public interest; establishes a direct Federal crime compensation program for territorial areas of direct Federal concern to provide a means of meeting the financial needs of the innocent victims of violent crime, intervenors acting to prevent the commission of a crime or assisting in the apprehension of suspected criminals, or their surviving dependents; establishes an independent board to administer the program; defines the acts or omissions considered to be crimes for purposes of the program; sets the amount of $100 as the minimum amount for which a claim may be filed and the amount of $50,000 as the maximum amount of a claim; creates a Criminal Victim Indemnity Fund in the Treasury; authorizes the appropriation of $5 million for fiscal year 1973 and, until specific appropriations are made, authorizes the use of funds appropriated for the Department of Justice or the Law Enforcement Assistance Administration; and authorizes the use, through the established mechanisms of the Law Enforcement Assistance Administration (LEAA), of LEAA grant funds on the usual 75–25 percent basis to assist substantially comparable State programs. H.R. 7352. P/H September 17, 1973; P/S amended October 8, 1973. (VV)

METHODONE DIVERSION CONTROL ACT

Amends the Comprehensive Drug Abuse Prevention and Control Act of 1970, Public Law 91–513, commonly called the Controlled Substances Act, to provide new authority for the regulation of the use of narcotic drugs in the treatment of narcotic addicts; provides definitions of "maintenance treatment" to enable the Attorney General to establish more specific and comprehensive regulatory control over the handling of narcotic drugs used in the treatment of narcotic addicts; requires practitioners who dispense or administer narcotic drugs in the treatment of narcotic addicts to obtain a special registration predicated on the approval of treatment standards by the Secretary of Health, Education, and Welfare and the approval of security standards by the Attorney General; enables the Attorney General to deny, revoke, or suspend the special registration for failure to comply with the new standards; makes the full range of civil remedies and felony penalties available under the Controlled Substances Act applicable to practitioners who provide narcotic drugs without obtaining the special registration, in violation of the registration, or after revocation of the registration; and requires the special registered practitioners to keep complete records of narcotic drugs directly administered to patients in their presence. S. 1115. P/S June 8, 1973. (VV)

PUBLIC SAFETY OFFICERS' BENEFITS ACT

Amends the Omnibus Crime Control and Safe Streets Act of 1968 to provide a gratuity of $50,000 to the dependents of public safety officers killed in the line of duty where the crime or death occurs on or after October 17, 1972, and authorizes the Law Enforcement Assistance Administration to make an interim payment, not to exceed $3,000, to an entitled dependent when it is determined such person is eligible to receive the gratuity under the provisions of this act. S. 15. P/S March 29, 1973. (VV)

PUBLIC SAFETY OFFICERS' GROUP LIFE INSURANCE ACT

Amends the Omnibus Crime Control and Safe Streets Act of 1968 to establish a means of meeting the financial needs of public safety officers or their surviving dependents through group life, accidental death, and dismemberment insurance (the amount of coverage to be based on individual salary with a minimum coverage of $10,000 and a maximum coverage of $32,000) and to assist State and local governments to provide such insurance. S. 33. P/S March 29, 1973. (VV)

REVISION OF THE JURISDICTION OF THREE-JUDGE COURTS

Amends sections 2281, 2282, 2284, and 2403 of title 28, United States Code, to eliminate the requirement for special three-judge courts in cases seeking to enjoin the enforcement of State or Federal laws on the grounds of unconstitutionality; provides for the retention of three-judge courts when otherwise required by act of Congress or in any case involving apportionment of congressional districts or the apportionment of any statewide legislative body; clarifies the composition and procedure of three-judge courts in cases where they will continue to be required; and insures the right of States to intervene in cases seeking to enjoin State laws on the ground of unconstitutionality. S.271. P/S June 14, 1973. (VV)

RUNAWAY YOUTH ACT

Authorizes the Secretary of Health, Education, and Welfare to make grants and to provide technical assistance to localities and nonprofit private agencies for the purpose of developing local facilities to deal primarily with the immediate needs of runaways in a manner which operates outside the law enforcement structure and juvenile justice system which are designed to shelter young people for a short period of time, rather than on a long term basis, and supply such medical care and counseling as needed and are equipped to provide a program of field counseling for the runaway and his family after the runaway has moved to permanent living facilities; authorizes funds to conduct research on the scope of the runaway problem in this country focusing on but not

limited to "the age, sex, socioeconomic background of the runaway children, the places from which and to which children run, and the relationship between running away and other illegal behavior;" authorizes therefor the appropriation of $10 million for each of fiscal years 1974, 1975, and 1976; and contains other provisions. S. 645. P/S June 8, 1973. (VV)

TERRITORIAL FRANCHISES IN THE SOFT DRINK INDUSTRY

Amends the Federal Trade Commission Act and the anti-trust laws to clarify the circumstances under which exclusive territorial licenses to manufacture, distribute, and sell trademarked soft drink products shall not be deemed unlawful; provides that if the requirements of this bill are met, relevant territorial provisions in which a trademark owner grants licensees the right to manufacture, distribute, and sell trademarked soft drink products in specifically defined geographic areas are not only lawful but enforceable through judicial proceedings; makes lawful license provisions which have the effect of precluding indirect evasions of the license agreement, thus protecting the exclusive territorial rights of one licensee from direct or indirect sales by the licensor or any of its other licensees into his defined geographic area so long as there is substantial and effective competition within his territory; and contains other provisions. S. 978. P/S June 11, 1973. (VV)

VICTIMS OF CRIME ACT

Amends the Omnibus Crime Control and Safe Streets Act of 1968 to establish a direct Federal crime compensation program for territorial areas of direct Federal concern to provide a means of meeting the financial needs of the innocent victims of violent crime, intervenors acting to prevent the commission of a crime or assisting in the apprehension of suspected criminals, or their surviving dependents; establishes an independent board to administer the program; defines the acts or omissions considered to be crimes for purposes of the program; sets the amount of $100 as the minimum amount for which a claim may be filed and the amount of $50,000 as the maximum amount of a claim; creates a Criminal Victim Indemnity Fund in the Treasury to consist of moneys from (1) criminal fines paid in the various courts of the United States, (2) additional appropriated funds, and (3) contributed funds; authorizes the appropriation of $5 million for fiscal year 1973 and, until specific appropriations are made, authorizes the use of funds appropriated for the Department of Justice or the Law Enforcement Assistance Administration; and authorizes the use, through the established mechanisms of the Law Enforcement Assistance Administration, of LEAA grant funds on the usual 75–25 percent basis to assist substantially comparable State programs. S. 300. P/S March 29, 1973. (VV)

VICTIMS OF CRIME ACT (OMNIBUS)

Establishes a Federal crime compensation program for territorial areas of direct Federal concern for innocent victims of violent crime, intervenors, or their surviving dependents, and provides for Federal assistance to substantially comparable State programs; provides group life insurance coverage for public safety officers or their surviving dependents, and assistance to States and local governments to provide such insurance; provides gratuities for dependents of public safety officers killed in the line of duty; strengthens civil remedies for victims of racketeering activity; provides for additional sentences for persons convicted in a United States court of a felony threatening life or property when a firearm is used or carried during the commission of the felony; provides for additional sentencing of persons as a public menace who are convicted of the manufacture, distribution, or dispensing of one-tenth or more of pure heroin or morphine, who are not addicts at the time of the offense; and contains other provisions. S. 800. P/S April 3, 1973. (78)

DEFENSE: COAST GUARD AUTHORIZATION, 1974

Authorizes a total appropriation of $109,239,000 for the Coast Guard for fiscal year 1974 for the procurement of vessels and related pollution abatement programs and an additional helicopter and helicopter search and rescue station, and for construction of shore and offshore establishments and bridge alterations; continues the LORAN–A electron navigation system and authorizes the replacement of equipment for the LORAN–C and approves expansion of the LORAN–C West Coast Project; authorizes an end year strengths of 37,607 for active duty personnel; and contains other provisions. H.R. 5383, Public Law 93–65, approved July 9, 1973.

DEFENSE PRODUCTION ACT AMENDMENT

Terminated the borrowing authority mechanism by which all program operations under the Defense Production Act have been financed since the initiation of the original 1950 act and substitutes conventional appropriation methods for any future operations. S. 1980. P/S August 2, 1973. (VV)

DEPENDENTS ASSISTANCE ACT OF 1950 AMENDMENTS

Makes permanent in the law certain provisions of the Dependents Assistance Act of 1950, as amended, which expire July 1, 1973, as follows: (1) continues the current monthly rates for quarters allowances for junior enlisted members, (2) removes the provision in title 37, U.S.C., that junior enlisted members are considered at all times to be without dependents, (3) removes the requirement that junior enlisted members must allot part of their pay before they can receive the higher quarters allowance authorized for members having dependents, (4) provides secretarial authority to grant hardship discharges for certain enlisted members with dependents, (5) establishes procedures for determining dependency of parents, (6) provides that aviation cadets receive the same quarters allowance as an E–4, and (7) provides that monthly quarters allowance to dependents of members shall not, for such period as the Secretary may prescribe, be contingent on a pay status thus permitting payment when an enlisted member is AWOL or incarcerated by a foreign government prior to trial; authorizes a basic allowance for quarters for junior enlisted members in the reserve and guard while on active duty for training for less than 30 days; repeals section 207 of the Career Compensation Act of 1949 which contains obsolete provisions regarding the reenlistment bonus; eliminates certain other provisions of law which are either obsolete or are covered elsewhere in existing law; extends for two years, to July 1, 1975, the authority to pay special pay to physicians, dentists, veterinarians, and optometrists; permits a member to claim as a dependent an unmarried, acknowledged, illegitimate child; extends for one year, to July 1, 1974, the bonus authority for certain enlistments in the combat arms of the armed forces; extends until December 31, 1973, the date after which members in the rank of colonel or equivalent (O–6), or above, in noncombat assignments are no longer entitled to flight pay; provides that the act shall become effective July 1, 1973; and contains other provisions. H.R. 8537. Public Law 93–64, approved July 9, 1973. (VV)

DISPOSALS FROM NATIONAL STOCKPILES

Authorizes the disposal from the national stockpile of various materials, as follows:

Abaca—@ 25 million pounds. H.R. 4682. Public Law 93–48, approved June 22, 1973. (VV)

Aluminum—@ 207,440 short tons. S. 2413. P/S October 10, 1973. (VV)

Copper—@ 251,600 short tons. S. 2316. P/S September 13, 1973. (VV)

Opium (Morphine content)—@ 141,600 pounds for immediate disposal. S. 2166. P/S July 28, 1973. (VV)

Sisal—@ 100 million pounds. H.R. 4682. Public Law 93–48, approved June 22, 1973. (VV)

Silicon carbide—@ 196,500 short tons. S. 2493. P/S October 10, 1973. (VV)

Zinc—@ 357 short tons, S. 2498. P/S October 10, 1973. (VV)

MILITARY CONSTRUCTION AUTHORIZATION, 1974

Authorizes a total of $2,825,818,000 in new budget obligational authority for fiscal year 1974 for construction and other related authority for the military departments and the Office of the Secretary of Defense within and outside the United States, and authority for construction of facilities for the Reserve Components. S. 2408. P/S September 13, 1973;

P/H amended October 11, 1973. (VV)

MILITARY PROCUREMENT AUTHORIZATION, 1974

Authorizes $20.9 billion for fiscal year 1974 for the procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each reserve component of the Armed Forces, and the military training student loads; prohibits the use of funds appropriated heretofore or hereafter to finance U.S. military involvement in hostilities in or over or from off the shores of North or South Vietnam, Laos, or Cambodia unless specifically authorized by Congress; provides for a one-time recomputation of military retired pay at the basic rates of pay in effect on January 1, 1972; calls on the President to seek, through appropriate bilateral and multilateral arrangement, payments to offset fully any balance-of-payment deficit incurred by the United States during fiscal year 1974, as a result of the deployment of forces in Europe to fulfill NATO commitments; calls for reducing by 110,000, the number of military personnel assigned to duty in foreign countries by December 31, 1975, with not less than a 40,000 reduction by June 30, 1974; provides for the continued operation of the Public Health Service hospitals located in Seattle, Boston, San Francisco, Galveston, New Orleans, Baltimore, Staten Island, and Norfolk; and contains other provisions. H.R. 9286. P/H July 31, 1973; P/S amended October 1, 1973; In conference. (436)

PROMOTIONS OF MILITARY PERSONNEL IN A MISSING STATUS

Amends section 552(a) of title 37, United States Code, to insure that promotions of personnel carried as missing are valid for all purposes, including Federal benefits to survivors, even when the date of death of the missing member is later determined to have occurred prior to the promotion date. S. 1493. Public Law 93–26, approved April 27, 1973. (VV)

SALE OF NAVAL VESSELS STRICKEN FROM THE NAVAL REGISTER

Amends section 7305 of title 10, United States Code, which permits the sale of naval vessels under strict advertised sealed bid procedures, to provide that no vessel of the Navy may be sold in any manner other than that provided by section 7305, or for less than its appraised value, unless the sale thereof is specifically authorized by law enacted after June 30, 1973, with the exception of a written agreement of sale entered into prior to June 30, 1973, thereby precluding the sale of stricken vessels, including those on loan which may be stricken from the Naval Register prior to loan expiration, to foreign nations under the general category of defense articles under Public Law 90–629, the Foreign Military Sales Act of 1946. S. 1773. P/S May 21, 1973. (VV)

SERVICEMEN'S BENEFITS

Makes several amendments to the Internal Revenue Code of 1954 which are designed to continue the same tax treatment for servicemen and former servicemen under the Survivor Benefit Plan, Public Law 92–425, as formerly was available for them under the Retired Serviceman's Family Protection Plan in the case of annuities for surviving spouses or certain child beneficiaries, and contains other provisions. H.R. 4200 P/H June 27, 1973; P/S amended September 19, 1973 (391)

DISTRICT OF COLUMBIA AUTHORIZATION FOR CERTAIN PROGRAMS AND ACTIVITIES

Provides legislative authorization for 26 activities, considered necessary for effective operation of the District of Columbia which were previously authorized only in the annual appropriations act; directs the District Government Public Service Commission to conduct a study of the adequacy of service and regulation of the taxicab industry in the District and to report their recommendations to Congress within 9 months; and contains other provisions. H.R. 8250. Public Law 93 —, approved ———, 1973. (VV)

DISTRICT OF COLUMBIA CHARTER ACT

Establishes the District of Columbia as a body politic and corporate in perpetuity by enacting a District of Columbia Charter Act which would restore to the citizens of the District of Columbia some measure of self-government; requires that a referendum be held within four months following enactment to determine whether the registered voters of the District accept this Charter Act; provides in the Charter Act for the election of a mayor and an eleven-member City Council, of which the Chairman and two members shall be elected at large and the other members from each of the eight wards, and transfers to it the functions of the present Mayor-Commissioner and non-elected Council; gives the Council local legislative power in addition to that heretofore delegated by Congress under Reorganization Plan No. 3 of 1967, including additional taxing and borrowing power subject to certain enumerated restrictions and to the overriding power of Congress to repeal, amend, or initiate local legislation and to nullify individual acts of the Council; ensures Congressional supervision over the District by providing that an act of the Council on any subject not presently delegated to the existing Council under Reorganization Plan No. 3, after approval by the Mayor, shall go into effect only if neither House of Congress passes a resolution disapproving such act during the next 30 days of continuous session of Congress which would, in effect, require the Council to pass legislation only when Congress is in session and has 30 days to review it; provides for an annual payment by the Federal Government to the District of Columbia to be computed as a percentage of local tax effort (with the specific restriction that the District may not tax residents of any other State) of 37.5 percent for fiscal year 1974 and 40 percent for fiscal year 1975 and succeeding fiscal years; provides for the supervision of fiscal affairs of the District by the General Accounting Office; authorizes the President to take such action during the transition period between the enactment of the bill and the first meeting of the Council as he deems necessary to enable the Board of Elections to properly perform its functions and authorizes to the District, on a reimbursable basis, $750,000 to pay the expenses of the Board of Elections; and contains other provisions. S. 1435. P/S July 10, 1973; P/H amended October 10, 1973. (264)

DISTRICT OF COLUMBIA INSURANCE ACT

Establishes a post-assessment insurance guaranty fund to be known as the District of Columbia Insurance Guaranty Association, obligated, in the event an insurance company becomes insolvent, to pay all covered claims of policyholders; increases the amount of paid-up capital each domestic capital stock and mutual life insurance company is required to have in order to transact business in the District from $200,000 to $1 million, the amount of coverage available under group term life insurance to maximums of $100,000 or 300 percent of compensation and a minimum of $30,000 the amount of paid-up capital stock and surplus required of all stock companies licensed under the Fire and Casualty Act from $300,000 to $600,000, the surplus requirement for domestic mutual companies from $150,000 to $300,000, the amount for foreign mutuals from $200,000 to $400,000, and the amount of a contract with the District government for which a bond is required from $2,000 to $10,000; and contains other provisions. H.R. 4083. Public Law 93–89, approved August 14, 1973. (VV)

DISTRICT OF COLUMBIA RENT CONTROL ACT

Authorizes the District of Columbia Council to adopt rules regarding maximum rental increases as it deems necessary and appropriate in the District of Columbia, and requires that the Council hold public hearings within 60 days after the enactment of this bill to determine whether such regulations are needed. H.R. 4771. P/H June 11, 1973; P/S amended September 7, 1973. (VV)

DULLES AND FRIENDSHIP AIRPORTS TRANSIT LINES

Amends the National Capital Transportation Act of 1969 to authorize the Secretary of Transportation to make payments to the Transit Authority in such amounts as may be requisitioned by the Transit Authority to finance the cost of designing and other necessary planning for a rail rapid transit line in the median of the Dulles Airport road to the Dulles International Airport; provides for the Secretary to contract with the Transit Authority for a comprehensive study of the feasibility of extending a rail rapid transit line in the median of the Baltimore-Washington expressway to the Friendship International Airport; and authorizes therefor an additional appropriation of not to exceed $10 million to carry out the purposes of this act. S. 2047. P/S July 9, 1973. (261)

ELECTION LAW

Amends the District of Columbia Election Act as follows: changes the filing deadline for nominating petitions from 45 to 60 days before an election; eliminates the 90 day durational residency requirement for voting in the District; authorizes the Board of Elections to use volunteers in connection with voter registration drives and non-partisan voter education efforts; reduces the signature requirements for third party candidates for President from 5 percent to 1 percent of the registered voters; grants the Board of Elections the authority to enact rules and regulations to carry out responsibilities and duties given to it under the Election Act; extends the period of time provided under the Election Act for the Board of Elections to rule on the validity of challenged ballots from 7 to 10 days; provides for polls to open at 7:00 a.m. on election days; provides for the term of newly-elected members to the Board of Education to begin 30 days after the certification of their election; eliminates the run-off election for the Delegate to Congress; and contains other provisions. H.R. 6713. Public Law 93–92, approved August 14, 1973. (VV)

INTERNATIONAL CENTER COMPLEX

Authorizes an additional appropriation of $2.2 million for improvements to the land (streets, sidewalks, water mains, etc.) which was transferred to the Department of State under the authority of Public Law 90–553, for use as sites for foreign chanceries. S. 1235. Public Law 93–40, approved June 12, 1973. (VV)

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

Authorizes an appropriation of $2,400,000 for fiscal year 1974, and $2,500,000 for fiscal year 1975, to the Secretary of the Interior for maintenance, security, information, interpretation, janitorial, and all other non-performing arts functions of the John F. Kennedy Center for the Performing Arts. S. 1759. Public Law 93–67, approved July 10, 1973. (VV)

NATIONAL VISITOR CENTER FACILITIES ACT OF 1968 AMENDMENTS

Amends the National Visitor Center Facilities Act to authorize the appropriation of $8,680,000 for construction necessary to complete the alteration and renovation of Union Station as a National Visitor Center, and to direct that the Secretary of the Interior provide interpretive transportation services in or between the National Visitor Center, the Capitol Grounds, the Mall, the Ellipse, the John F. Kennedy Center for the Performing Arts, East and West Potomac Park, and such other visitor facilities as may be established pursuant to the National Visitor Center Facilities Act. H.R. 5857. Public Law 93–62, approved July 6, 1973. (VV)

ROBERT F. KENNEDY MEMORIAL STADIUM

Amends section 8 of the Public Buildings Act of 1959 to authorize the Armory Board to borrow $1.5 million to increase the seating capacity of the Robert F. Kennedy Memorial Stadium by up to 8,000 seats for football games and causes 50 percent of the revenues derived from such seats to be the sole security for any loan that the Armory Board might receive. H.R. 6330. Public Law 93–72, approved July 10, 1973. (VV)

ECONOMY-FINANCE: AMERICAN REVOLUTION BICENTENNIAL COINS

Authorizes the Treasury to change the design on the reverse side of the dollar, half dollar and quarter dollar coins minted on or after July 4, 1975 to commemorate the Bicentennial of the American Revolution and directs that all such coins minted between July 4, 1975, and January 1, 1977, shall bear the date "1776–1976" in place of the date of coinage and all such coins minted thereafter the date "1776–1976" in addition to the date of coinage. S. 11741. Public Law 93– , approved 1973. (VV)

CEILINGS ON DEPOSIT INTEREST RATES

Extends from June 1, 1973, until August 1, 1974, the authority of the Federal Bank Regulatory Agencies to establish flexible ceilings on the rate of interest payable on time and savings deposits by Commercial Banks, Mutual Savings Banks, and Savings and Loan Associations. S.J. Res. 128, Public Law 92–63, approved July 6, 1973. (VV)

DUTY SUSPENSIONS: CAPROLACTAM MONOMER IN WATER SOLUTION

Retroactively extends from December 31, 1972, to December 31, 1973, the temporary suspension of duty on imports of caprolactam monomer in water solution, and contains other provisions. H.R. 6394. Public Law 93–79, approved July 30, 1973. (VV)

COPPER

Reinstitutes a suspension of the import duty on certain forms of copper for 1 year, to June 30, 1974, and establishes the "peril point" below which the duty suspension becomes inapplicable at the domestic price of 51 cents per pound. H.R. 2323. Public Law 93–77, approved July 20, 1973. (VV)

DYEING AND TANNING MATERIALS

Reinstates the temporary suspension of duties on imports of certain dyeing and tanning materials including logwood to September 30, 1975, and provides that the duty suspension shall apply to all entries after September 30, 1972, the date on which the previous suspension of duties terminated. H.R. 3630. Public Law 93–101, approved August 16, 1973. (VV)

ISTLE FIBER AND END OF FREEZE ON AGRICULTURAL PRODUCTS

Continues the existing suspension of duty on certain istle to September 5, 1975; pro-

vides that the President shall make appropriate adjustments in the maximum price which may be charged under Executive Order 11723, June 13, 1973, for any agricultural commodity (at any point in the distribution chain) which the Secretary of Agriculture certifies will be reduced to unacceptably low levels of supply as a result of the freeze and that alternative means for increasing the supply are not available. H.R. 2261. P/H June 27, 1973; P/S amended June 30, 1973. (259)

MANGANESE ORE

Continues for a 3-year period, through June 30, 1976, the existing suspension of duty on certain manganese ore which is principally used for metallurgical purposes in the production of steel. H.R. 6676. Public Law 93–99, approved August 16, 1973. (VV)

METAL SCRAP

Continues for an additional 2 years, to July 1, 1975, the temporary suspension of the duties on certain metal waste and scrap principally such scrap as iron and steel, aluminum, magnesium, nickel, and nickel alloys, as provided for by item 911.12 of the Tariff Schedules. H.R. 2324. Public Law 93–78, approved July 30, 1973. (VV)

EAST-WEST TRADE POLICY RESOLUTION

Affirms the Congress' general support for increased commercial and non-commercial relations with the nonmarket economy countries, principally the Union of Soviet Socialist Republics, the People's Republic of China, and Eastern Europe. S.J. Res. 131. P/S June 30, 1973. (VV)

ECONOMIC STABILIZATION ACT AMENDMENTS

Extends for 1 year, to April 30, 1974, the Economic Stabilization Act of 1970 which authorized the President to issue such orders and regulations as he may deem appropriate to stabilize prices, rents, wages, and salaries; gives the President authority to establish, after public hearings, priorities of use and an allocation system of supplies of petroleum products, including crude oil, in order to meet essential needs in various sections of the country and to prevent anticompetitive effects which could develop from shortages of petroleum products; exempts workers earning less than $3.50 an hour from wage controls; states as the intent of Congress that nothing in this act be construed to authorize or require the President to impound or withhold funds appropriated, authorized, or authorized to be obligated by the Congress; requires business enterprises required to make price reports to the Cost of Living Council (firms with annual sales or revenues of $250 million or more) to make public disclosure of reports, except for proprietary information or trade secrets, which cover periods during which the firm charges a price for a substantial product that is 1.5 percent over the price lawfully in effect for such product on January 10, 1973, or on the date 12 months preceding the end of such period, whichever is later; and contains other provisions. S. 398. Public Law 93–28, approved April 30, 1973. (53)

FEDERAL FINANCING BANK

Provides for a Federal Financing Bank through which the marketing of Federal and federally assisted borrowing activities can be centralized; provides for advance submission of financing plans to the Secretary of the Treasury and for Treasury approval of the method and source of financing, timing, rates of interest, maturities, and all other financing terms and conditions of certain obligations issued or sold by Federal agencies or guaranteed by Federal agencies in the securities markets; states as the sense of Congress that the United States should take the necessary measures, including appropriate international measures, to enable it to sell gold from its gold stocks to licensed domestic users at desirable times, taking into account international circumstances, to stabilize domestic gold markets and improve our balance of payments; and contains other provisions. S. 925. P/S June 22, 1973. (VV)

FINANCIAL INSTITUTION STRUCTURE AND REGULATION

Extends until December 31, 1974, the authority of the Board of Governors of the Federal Reserve System, the Board of Directors of the Federal Deposit Insurance Corporation, and the Federal Home Loan Bank Board to regulate in a flexible manner the interest rates or dividends payable by insured banks on time and savings deposits and by members of the Federal Home Loan Bank system on deposits, shares, or withdrawable accounts; prohibits NOW accounts by which a depositor may remove funds from a savings account through the use of a negotiable order of withdrawal except that such accounts are permitted in the States of Massachusetts and New Hampshire, the only two States in which such accounts are presently being offered; amends the National Housing Act to place, in general, a statutory prohibition until June 30, 1974, on the approval by the Federal Home Loan Bank Board and the Federal Savings and Loan Insurance Corporation of conversions from the mutual to stock form by savings and loan associations whose accounts are or would become insured by the Corporation, permits Federal savings and loan associations and national banks to invest in State housing corporations incorporated in the State in which the association or bank is located; establishes a new procedure for payment by insured savings and loan associations of premiums into the reserve fund of the Corporation; and contains other provisions. H.R. 6370. Public Law 93–100, approved August 16, 1973. (VV)

HOUSING AND URBAN DEVELOPMENT LAWS AND AUTHORITIES TEMPORARY EXTENSION

Extends the authority of the Secretary of Housing and Urban Development to carry out its basic housing and community development programs under the National Housing Act for 1 year, to June 30, 1974, and authorizes therefor an appropriation of $1.943 million; extends the Federal Housing Administration (FHA) insuring programs; provides continued authority for the Urban Renewal, Model Cities, Open Space, Neighborhood Facilities, Rehabilitation Loans, Comprehensive Planning and New Communities programs; extends the flexible interest rate authority of the Secretary, in consultation with the Administrator of the Veterans' Administration, to set interest rate ceilings for FHA mortgage insurance programs and VA guaranteed loans; expands protections for homebuyers by authorizing expenditures for the correction of defects in homes financed under certain FHA programs; assures that Federal housing assistance programs are carried out to the full extent authorized by the Congress; requires the Secretary in processing and approving applications for assistance to give priority to any State or unit of local government which is adversely affected by a reduction in the level of expenditure of employment at any Department of Defense installation; and contains other provisions. H.J. Res. 512. P/H May 21, 1973; P/S amended July 20, 1973; House recommitted conference report September 5, 1973. (304)

Provides for a temporary extension through October 1, 1973, of Farmers Home Administration insurance authority and the flexible interest rate authority under the rehabilitation loan authority under the Housing Act of 1964, which expired June 30, 1973, and provides for temporary waiver of certain limitations applicable to GNMA. S.J. Res. 144. Public Law 93–85, approved August 10, 1973. (VV)

Extends the authority of the Secretary of Housing and Urban Development to carry out its basic housing and community development programs under the National Housing Act to October 1, 1974; extends the Federal Housing Administration (FHA) insuring programs; provides continued authority for the Urban Renewal, Model Cities, Open Space, Neighborhood Facilities, Rehabilitation Loans, Comprehensive Planning and New Communities programs; extends the flexible interest rate authority of the Secretary to set interest rate ceilings for FHA mortgage insurance programs and VA guaranteed loans; requires the Secretary in processing and approving applications for assistance to give priority to any State or unit of local government which is adversely affected by a reduction in the level of expenditure of employment at any Department of Defense installation; and contain other provisions. H.J. Res. 719. Public Law 93–117, approved October 2, 1973. (VV)

INTEREST EQUALIZATION TAX EXTENSION ACT

Extends the application of the interest equalization tax for 15 months, to June 30, 1974; provides, with certain exceptions, that the interest equalization tax exclusion for stock or debt obligations issued by a less developed country corporation shall not apply to stock or debt obligations issued by a less-developed country shipping corporation after January 29, 1973; provides for an exclusion from the interest equalization tax for: original or new issues of stock or debt obligations; stock acquired by conversion of a debt obligation if no additional consideration is paid and the debt obligation itself qualifies for the exclusion; or for a debt obligation issued to refund or refinance an original or new issue which qualified for the exclusion, to finance direct investment in the United States except for the acquisition and exploitation of natural resources, subject to the foreign issuer or obligor agreeing to meet certain conditions with respect to that investment for a period of ten years; provides that a qualified lending or financing corporation, or a U.S. corporation engaged in a lending or financing business through offices located outside the United States, may use domestic source funds to lend for qualified export credit transactions or to buy goods made in the United States for leasing or sale outside of the United States; requires the Secretary of the Treasury to study the effect on international monetary stability of the Canadian exemption from the interest equalization tax and make a report to the Congress not later than September 30, 1973; and contains other provisions. H.R. 3577. Public Law 93–17, approved April 10, 1973. (VV)

INTEREST RATES ON TIME AND SAVINGS DEPOSITS

Instructs the Secretary of the Treasury, the Board of Governors of the Federal Reserve System, the Board of Directors of the Federal Deposit Insurance Corporation, and the Federal Home Loan Bank Board to take action to limit the rates of interest on dividends which may be paid on time deposits of less than $100,000 by institutions regulated by them. S.J. Res. 160. P/S October 1, 1973. (VV)

NATIONAL BANKS INVESTMENT IN AGRICULTURAL CREDIT CORPORATIONS

Permits a National Bank to purchase for its own account a minority stock interest in an agricultural credit corporation providing the amount invested at any one time shall not exceed 20 percent of the bank's unimpaired capital and surplus. S. 1884. P/S June 28, 1973. (VV)

PAR VALUE MODIFICATION ACT AMENDMENTS

Directs the Secretary of the Treasury to take the necessary steps to establish a new par value of the dollar of $1 equals $0.828948 Special Drawing Right (SDR) or the equivalent in terms of gold, $42.22 per fine troy ounce of gold, thus devaluating the U.S. dollar by 10 percent and changing the official price of gold from $38 to $42.22 per ounce; states it is the sense of Congress that the President shall take all appropriate action to expedite realization of the international

monetary reform noted at the Smithsonian on December 18, 1971; legalizes private ownership of gold as of the date the President reports to Congress that elimination of regulation on private ownership will not adversely affect the international monetary position of the United States; directs the Secretary of the Treasury to require multinational corporations to submit reports of foreign currency transactions; and contains other provision. H.R. 6912. Public Law 93–110, approved September 21, 1973. (89,374)

PUBLIC DEBT LIMIT; UNEMPLOYMENT COMPENSATION; HEALTH EXTENSION; CAMPAIGN CHECKOFF

Continues the present debt limitation level of $465 billion by extending the current temporary debt limit level of $465 billion by extending the current temporary debt limit of $65 billion from June 30, 1973, through November 30, 1973; extends unemployment insurance benefits in States whose rate of insured unemployment is at least 4.5 percent without regard to present eligibility requirements regarding the rate in the prior 2 years or whether 13 weeks have expired since the last State extended benefit period, until such time as the State's insured unemployment rate drops below 4 percent; extends for one year the authorization for project grants under the maternal and child health program scheduled to expire June 30, 1973, and provides for a transition in funding to a State-coordinated program; requires the presidential campaign checkoff provisions on the income tax return form to be placed in a non-partisan form on the front page of the return or by the side of the page where signature is required, and contains other provisions. H.R. 8410. Public Law 93–53, approved July 1, 1973. (242,258)

PURCHASE OF U.S. OBLIGATIONS BY FEDERAL RESERVE BANKS

Extends from June 30, 1973, to November 1, 1973, the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury. S. 1410. Public Law 93–53, approved August 14, 1973. (VV)

Extends from November 1, 1973, to July 1, 1974, the authority of the Federal Reserve banks to purchase U.S. obligations directly from the Treasury. S. 2556. P/S October 10, 1973. (VV)

RAILROAD RETIREMENT ACT AMENDMENTS

Simplifies administration of the social security minimum guaranty provision contained in section 3(e) of the Railroad Retirement Act by permitting the Board to disregard postretirement earnings for purposes of all guaranty provision calculations of an employee benefit; liberalizes the eligibility conditions for children's benefits under the act to conform with the liberalizations provided in such benefits under the Social Security Act by Public Law 92–603 whereby a survivor benefit will be paid as follows: after adoption by anyone, instead of only by a close relative; to a child for a disability which began before age 22 instead of age 18; to a student child after age 22 in some cases; to a dependent grandchild who is treated as a child of his grandparent; and extends kidney disease medicare coverage to railroad employees, their spouses, and their dependent children on the same basis as such coverage is now provided for persons insured under the Social Security Act. H.R. 7357. Public Law 93–58, approved July 6, 1973. (VV)

SECURITIES LAWS AMENDMENTS

Amends the Securities Exchange Act of 1934 to establish a clear, congressional policy that membership on national securities exchanges is not to be denied to financial institutions so long as brokerage commission rates on those exchanges remain fixed; also provides that at such time as commission rates become competitive (when national securities exchanges cease to maintain or enforce fixed rates of commission, or April 30, 1976, whichever is later) all members of national securities exchanges must cease executing exchange transactions for their affiliates and the institutional accounts which they manage, and would thus, upon the elimination of fixed commission rates, prohibit financial institutions and securities firms which manage institutional accounts from using exchange memberships for their own benefit or for the benefit of such accounts; provides for a two year transition period following the last date upon which a national securities exchange maintains or enforces fixed rates of commission or April 30, 1976, whichever is later, in order to allow exchange members relying upon the income from performing brokerage for managed institutional accounts to phaseout this combination of functions; gives the Securities and Exchange Commission (SEC) the authority to regulate the manner in which members of national securities exchanges may trade from on or off the floor of an exchange for their own account and for the account of their affiliates, which, accordingly, will have the authority to control the trading of financial institutions, as long as it is not inconsistent with the purpose of this proposed legislation, which are exchange members during the period before the elimination of fixed commission rates; amends the Investment Company Act of 1940 and the Investment Advisers Act of 1940 to permit a mutual fund manager or investment adviser to cause a fund or client to pay commissions to a broker in excess of the commissions being charged by other brokers for effecting similar transactions, if that broker provides research services of value to the fund or client and the adviser makes appropriate disclosures concerning such payments, as the SEC may require; amends the Investment Company Act to remove the existing uncertainty as to the legality of the transfer for profit of a controlling interest in a mutual fund management company, and provides that a controlling interest in such a management company may be sold at a profit provided that for three years after the transaction at least 75 percent of the directors of the fund are independent of the new and old investment advisers, and that the transaction does not impose an "unfair burden," as defined, on the fund; and contains other provisions. S. 470 P/S June 18, 1973. (193)

SECURITIES PROCESSING ACT

Amends the Securities Exchange Act of 1934, as amended, by vesting in the Securities and Exchange Commission (SEC) the power and the responsibility to direct the evolution of clearance and settlement methods employed by national securities associations and by broker-dealers engaged in interstate commerce; requires clearing agencies and securities depositories to register with and report to the SEC, and empowers the Commission to review and amend the rules of such entities; directs the Commission to proceed toward elimination, by December 31, 1976, of the negotiable stock certificate as a means of settlement in transactions between brokers and dealers, and to report to the Congress annually through 1976 on its progress, with any recommendations it might have for further legislation to eliminate the stock certificate; prohibits the imposition of State and local taxes in such a way as to inhibit unreasonably the development of an efficient national clearing and depository system; directs the Commission to consider the practice of registering securities in "street name" to determine whether such registration is consistent with the policies of the Securities and Exchange Act of 1934 and whether steps can be taken to facilitate communications between corporations and their shareholders while at the same time retaining the benefits of "street name" registration; requires registration and reporting by transfer agents; and contains other provisions. S. 2058. P/S August 1, 1973. (VV)

EDUCATION: EDUCATION OF THE HANDICAPPED AMENDMENTS

Extends the Education of the Handicapped Act (Public Law 91–230) for three years, through fiscal year 1976, and authorizes therefor a total appropriation of $643.7 million; adds four new leadership positions at the Bureau of Education for the Handicapped to assist the associate commissioner in carrying out his duties; continues the advisory committee through July 1, 1976, at an annual authorization of $100,000; makes grant authorizations for preschool and school programs to the States of $65 million for fiscal year 1974, $80 million for fiscal year 1975, and $100 million for fiscal year 1976; requires each State to set forth a plan of the procedures it will use to identify, locate and evaluate every handicapped child in that State, to submit the plan to the Commissioner of Education for approval by December 31, 1974, to consider any amendment to the State plan a required portion of the State plan after June 30, 1975, and to establish policies and procedures to protect the confidentiality of data and information collected by the State; provides that no State shall expend funds for doing the plan required unless that State receives an amount greater than the amount allotted to that State in fiscal year year 1973 and raises the minimum each State may receive from $200,000 to $300,000, increases the maximum allowable funds for administration and planning from $100,000 to $200,000, and provides that unless the aggregate of the amounts allotted to the States in fiscal year 1974 is $45 million or more these provisions shall not apply; authorizes for the three year period a total of $48 million for deaf/blind centers and services, $75 million for early childhood education, $37 million for regional resource centers, $1.5 million for recruitment and information, $135 million for manpower and personnel training, $42 million for research in the education of the handicapped, $55 million for handicapped persons, and $27.5 million for special programs for children with specific learning disabilities; amends the Higher Education Act of 1965, as amended, by allowing an institution to be eligible for funds if 10 percent of its current undergraduate body is composed of GI bill trainees; provides an entitlement of not less than 90 percent of funds obtained in the preceeding year to local educational agencies which qualify for a phaseout of impact aid over a 5 year period under certain circumstances; and contains other provisions. S. 895. P/S June 25, 1973. (VV)

NATIONAL COMMISSION ON THE FINANCING OF POSTSECONDARY EDUCATION

Extends the authorization of the National Commission on the Financing of Postsecondary Education and changes the date on which it must make its final report from April 30, 1973; provides that if fiscal year 1973 appropriations are $385 million or less for the basic educational opportunity grant program that the basic grants shall be limited to full time freshman students. H.J. Res. 393. Public Law 93–35, approved May 16, 1973. (VV)

GENERAL GOVERNMENT: AMERICAN REVOLUTION BICENTENNIAL ADMINISTRATION

Provides for the establishment of a temporary, independent Government agency, the American Revolution Bicentennial Administration, which would assume the functions and responsibilities of the present American Revolution Bicentennial Commission to be headed by a full time administrator and deputy administrator appointed by the President by and with the advice and consent of the Senate; gives the Administrator the power to carry out the provisions of the act

including the power to approve supplying services and property, make contracts and expend funds; creates an eleven member board to define basic policy and guidelines for the Administrator and a twenty-five member Advisory Council to advise the Board and the Administrator on all matters as provided for in the bill, defines the functions and responsibilities of the new Administration and requires it to submit an annual report to the Congress; provides for annual authorizations, including the continuation of the annual grants to the States, territories, the Commonwealth of Puerto Rico, and the District of Columbia of $45,000 and matching grants to the States of not to exceed $400,000 per State from appropriated funds and a program of matching grants-in-aid financed from nonappropriated funds; and contains other provisions. H.R. 7446. P/H June 7, 1973; P/S amended October 10, 1973. (VV)

AMERICAN REVOLUTION BICENTENNIAL COMMISSION

Authorizes an appropriation of $2,868,000 between February 16, 1973, and June 30, 1973, for expenses of the American Revolution Bicentennial Commission, of which not to exceed $1,200,000 would be for grants-in-aid to the States. H.R. 3694. Public Law 93–11, approved March 15, 1973. (VV)

ARCTIC WINTER GAMES AUTHORIZATION

Authorizes an appropriation of $150,000 to the Secretary of Commerce for the purpose of assisting the financing of the Arctic Winter Games to be held in Alaska in 1974 and provides for disbursement of such funds on such terms and under such conditions as the Secretary deems appropriate. S. 907. P/S June 18, 1973. (VV)

ATOMIC ENERGY COMMISSION AUTHORIZATIONS, 1974

Authorizes a total appropriation of $2,429,055,000 for the Atomic Energy Commission for fiscal year 1974 of which $1,740,750,000 is for operating expenses and $688,305,000 for plant and capital equipment including construction, and land acquisition, and contains other provisions. S. 1944. Public Law 93–60, approved July 6, 1973. (206)

COMMISSION ON HIGHWAY BEAUTIFICATION—EXTENSION

Extends to December 31, 1973, the date for the Commission on Highway Beautification to submit to the President and the Congress its final report concerning implementation of the Highway Beautification Act of 1965 and authorizes therefor an additional appropriation of $250,000. S.J. Res. 42. Public Law 93–6, approved February 16, 1973. (VV)

CONSUMER PRODUCT WARRANTIES

Sets forth, in title I, disclosure and designation standards for written warranties on each consumer product that costs the consumer more than $5; defines Federal contents standards for full warranties; provides meaningful consumer remedies for the breach of written warranty and written service contract obligations; in title II, improves the Federal Trade Commission's ability to deal with unfair consumer acts and practices affecting interstate commerce by granting the Commission the power to: (1) seek preliminary or permanent injunctions; (2) initiate actions in district courts seeking specific redress for consumers injured by unfair or deceptive practices, and (3) secure civil penalties for knowing violations of the FTC Act; in title III, requires the Board of Governors of the Federal Reserve System to issue regulations similar to those of the FTC proscribing unfair acts or practices of financial institutions unless the Board disagrees that such acts are unfair and publishes its findings in the Federal Register; and, in title IV, makes specific provisions for used car warranties. S. 356. P/S September 12, 1973. (VV)

COUNCIL ON INTERNATIONAL ECONOMIC POLICY

Extends the authorization on the Council on International Economic Policy (CIEP) until June 30, 1977, and authorizes $1.4 million for fiscal year 1974; provides that, instead of serving as Chairman, the President shall designate a Chairman of CIEP; provides that any Executive Director of CIEP, other than the incumbent, shall be appointed by the President subject to confirmation by the Senate; and requires that the annual report by the President to Congress include comparative description and analysis of certain specific activities, policies, and programs of the United States, the European Community, Japan, and the U.S.S.R. as well as analysis concerning the relationship between the U.S. Government and American business and recommendations for programs and policies to insure that American business is competitive in international commerce. S. 1636. Public Law 93–121, approved October 4, 1973. (392)

DISASTER RELIEF: EMERGENCY DISASTER BILL

Authorizes and directs the President to make grants to units of local government and State and local public agencies for predisaster assistance for fire suppression, tree removal, and reforestation work on public and private lands in the counties of Alameda and Contra Costa, California, to reduce the fire threat caused by a freeze in December of 1972 which killed tens of thousands of eucalyptus trees throughout the area; provides for reimbursement to property owners for costs in removing trees on private property; and directs the President to exercise the authority conferred on him by section 221 of the Disaster Relief Act of 1970 to carry out the provisions of this act in order to avert or lessen the effects of a major disaster. S. 1697. P/S May 21, 1973. (VV)

EMERGENCY LOAN PROGRAM FOR DISASTER AREAS

Amends the Farmers Home Administration emergency loan program under the Consolidated Farm and Rural Development Act, which was curtailed by the Department of Agriculture by action announced on December 27, 1972, to provide a source of funds for farmers and ranchers in areas determined to be disaster areas by either the Secretary of Agriculture or the President; eliminates certain features, including the loan forgiveness feature and low interest rates, which became a part of the emergency loan program as a result of the Disaster Relief Act of 1970, Public Law 91–606, and the "Agnes-Rapid City" Act, Public Law 92–385; requires the Secretary to make, insure or guarantee loans to eligible applicants, sets the maximum interest rate on loans at 5 percent; requires that applicants be unable to obtain credit elsewhere at reasonable rates; makes it mandatory that the Secretary designate areas eligible for emergency loans where the criteria for such designation exists; repeals section 232 of the Disaster Relief Act of 1970, which, effective July 1, 1973, requires the Secretary of Agriculture to cancel a part or all of the principal amount of certain loans and charge interest at a rate to be determined by the Secretary of the Treasury; applies the same interest rate to and eliminates the forgiveness feature for Small Business Administration disaster loans made under the Small Business Act in connection with any disaster occurring on or after the date of enactment of this act; and contains other provisions. H.R. 1975. Public Law 93–24, approved April 20, 1973. (66)

DOMESTIC VOLUNTEER SERVICE ACT (ACTION)

Provides for the operation of all domestic volunteer service programs by the ACTION Agency, which was established by Reorganization Plan No. 1 of July 1, 1971, in a single piece of enabling legislation; authorizes appropriations for fiscal years 1974 and 1975 for the ACTION Agency's programs: VISTA (Volunteers in Service to America), the Peace Corps, the Foster Grandparent Program, RSVP (Retired Senior Volunteer Program), UYA (University Year for ACTION Program), the Service Corps of Retired Executives and the Active Corps of Executives; provides for new voluntary activities to meet a broad range of human and social needs beyond the strict anti-poverty programs including programs to provide alternatives to the incarceration of youthful offenders, to promote educational and job opportunities for returning veterans and to provide community-based peer group counseling and outreach for drug abuses; provides for two new older American programs: "Senior Health Aides" and "Senior Companions" modeled on the Foster Grandparent program; and contains other provisions. S. 1148. Public Law 93–113, approved October 1, 1973. (VV)

EMERGENCY PETROLEUM ALLOCATION ACT

Grants to the President temporary authority until March 1, 1975, to deal with a national energy crisis involving extraordinary shortages of crude oil and petroleum products, or dislocations in their national distribution system, which he may delegate to the Secretary of the Interior or other agency head he deems appropriate; provides that the President shall designate an agency to supervise compliance and promulgate regulations under the act; authorizes that agency to require periodic reports from those subject to the act, subpena witnesses and documents, and to request the Attorney General to bring action to enjoin acts and practices in violation of the act; directs the establishment of an Office of Emergency Fuel Allocation within that agency to receive complaints from State and local governmental units concerning lack of gasoline or fuel oil supplies or price increases in violation of this act, which shall be empowered to order that adequate supplies be made available to communities threatened with the disruption of essential public services; directs the President within 30 days of enactment, after public hearings, to have published priority schedules, plans, and regulations for the allocation or distribution of crude oil and any refined petroleum product which is or may be in short supply nationally or in any region of the United States and authorizes temporary allocation in emergency situations pending their promulgation; provides that the President shall allocate or distribute, pursuant to the priority schedules, plans and regulations, any liquid fuel, whether crude or refined, or imported or domestically produced, which is in extraordinary short supply nationally or regionally; provides that the regulations shall include standards and procedures for determining or reviewing prices of allocated fuels; directs the President to use his authority under this act and existing law to assure adequate crude oil supplies to all refineries; establishes an allocation formula concerning sales to independent refiners and to independent dealers by producers or importers of more than 200,000 barrels per day of crude petroleum and/or natural gas liquids with the provision that this allocation program may be replaced or amended by the priority schedules, plans, and regulations issued to implement this act; provides that actions taken pursuant to the Economic Stabilization Act of 1970, as amended, shall continue in effect until modified or rescinded by or pursuant to this act; contains in sections 108–110 entitled the "Fair Marketing of Petroleum Products Act," provisions for the protection of dealers concerning supply and price and for the protection of franchised dealers in regard to cancelation of a franchise; authorizes suit by a retailer or distributor in the appropriate United States district court, without regard to the amount in controversy, against a distributor or re-

finer which engages in prohibited conduct; and contains other provisions. S. 1570. P/S June 5, 1973. (162)

ENERGY POLICY ACT

Creates in the Executive Office of the President a three member Council on Energy Policy to be appointed by the President by and with the advice and consent of the Senate which shall serve as the principal adviser to the President on energy policy; be a focal point for the collection, analysis, and interpretation of energy statistics; coordinate the energy activities of the Federal Government and provide leadership for State governments and other persons involved in energy activities; prepare a long-range comprehensive plan (the Energy Plan), to be updated annually, for energy development, utilization, and conservation; and, is to review all legislative recommendations and reports sent to Congress and, if it disapproves, send to the President and the Federal agency involved a statement in writing of its position and reasons therefor; directs the Council to prepare and submit to the President and the Congress on or before January 1, 1974, and annually thereafter, an energy report to accompany the Energy Plan including estimates of energy needs for the ensuing ten-year period, discussion of trends in price, quality, management, and utilization of energy resources; authorizes the Comptroller General to monitor and evaluate the operations of the Council and report to Congress with respect to Federal energy programs including his recommendations; authorizes appropriations for the purposes of the act of $1 million for fiscal year 1974, $2 million for fiscal year 1975, and $4 million for each subsequent fiscal year; and contains other provisions. S. 70. P/S May 10, 1973. (123)

EXEMPTION OF FEDERAL JUDICIARY FROM CHARGES FOR SPACE AND SERVICES

Relieves the Federal Judiciary and the U.S. Tax Court from all administrative duties in the calculation of charges for service, maintenance, repair, space, quarters or other facilities as required by section 210(j) of the Federal Property and Administrative Services Act of 1949, as amended, by requiring the Administrator of the General Services Administration to provide such administrative services. S. 2079. P/S June 28, 1973. (VV)

FEDERAL ELECTION CAMPAIGN ACT AMENDMENTS

Repeals the equal time requirement of Section 315 of the Communications Act as it applies to elective Federal office; makes at least 15 minutes of free time available to each of the candidates, whoever he may be; repeals the existing limitation on media and telephone spending with a total limitation on all expenditures by or on behalf of a candidate for Federal elective office; places a ceiling of 10 cents in the primary and 15 cents in the general election, multiplied by the estimated population 18 years old or older in the Congressional district or the State, respectively; limits the expenditures by a Presidential candidate in any one State to the amount that a candidate for Senator from that State is entitled to spend; provides a floor as follows: permits expenditures of at least $175,000 (without regard to the amount reached by using the multiplication formula) for all Senatorial candidates, Delegate, Resident Commissioners, and candidates for the House of Representatives in States which are entitled to only one Representative and permits expenditures of $90,000 by candidates for the House of Representatives from a State entitled to more than one representative; places a limit of $3,000 on the amount that may be contributed to any candidate in any one year by any one contributor; places a limit of $25,000 in the aggregate on the amount which an individual may contribute to a political committee or on behalf of any candidate; places, except for the central campaign committee or the State campaign of a candidate, the national committee of a political party, or the Democratic or Republican Campaign Committees of the Senate or House of Representatives, a limit of $3,000 on the amount political committees may contribute to candidates for the Congress and for the Presidency; prohibits expenditures of over $1,000 by an independent individual on behalf of a candidate without certification by the candidate that the payment of that charge will not exceed the expenditure limitation for that candidate; creates a Federal Election Commission to administer and enforce the act; contains provisions for assistance to the States for voter registration; and contains other provisions. S. 372. P/S July 30, 1973. (344)

FEDERAL ELECTION REFORM COMMISSION

Establishes an independent commission, to be known as the Nonpartisan Commission on Federal Election Reform, to conduct an extensive and exhaustive study of the practices engaged in by political parties and individuals in the course of Federal political campaigns; to consider the advisability of changing the term of office of Members of the House of Representatives, or the Senate, or the President of the United States to make recommendations for such legislation, constitutional amendment, or other reforms as its findings indicate, and in its judgment are desirable to revise and control the practices and procedures of political parties, organizations, and individuals participating in the Federal electoral process; and contains other provisions. S.J. Res. 110. P/S July 30, 1973. (VV)

FEDERAL ELECTIONS, DATE FOR

Sets a time for the holding of primary elections or nominating conventions for choosing candidates for election to the offices of U.S. Senator, Representative, Delegate, or Resident Commissioner by providing that they shall be held at any time during the period beginning on the first Tuesday in August; provides that a political party which nominates its candidate for election to the office of President by holding a national nominating convention shall hold that convention beginning on the third Monday of August of the year in which the President and Vice President are elected; makes election day, the first Tuesday next after the first Monday in November, in 1976, and every second year thereafter, a national holiday; provides that the act shall take effect on January 1, 1976; and contains other provisions. S. 343. P/S June 27, 1973. (229)

FLOOD INSURANCE

Amends the Housing and Urban Development Act of 1968 to increase from $2.5 billion to $4 billion the limitation on the face amount of flood insurance coverage authorized to be outstanding. S.J. Res. 26. Public Law 93-4, approved February 2, 1973. (VV)

Increases the authority for the Federal flood insurance program from $4 billion to $6 billion. S.J. Res. 112. Public Law 93-38, approved June 5, 1973. (VV)

FOREIGN SERVICE BUILDING ACT AMENDMENTS

Authorizes a total of $59,611,000 for fiscal years 1974 and 1975 for the Foreign Buildings program administered by the Department of State of which $13,811,000 is for new construction, acquisition and development, and $45,800,000 is for operations. H.R. 5610. Public Law 93-47, approved June 22, 1973. (VV)

FUEL ALLOCATION; HOBBY PROTECTION ACT

Provides for the establishment of a mandatory petroleum allocation program; amends the Economic Stabilization Act to provide that the President shall, with respect to the price level of beef, permit the passthrough of increases in raw agricultural product costs incurred since June 8, 1973, on the same basis as is permitted for meat and food products other than beef; provides protection for coin, token, and other collectors by requiring the marketing of imitation numismatic and political items in order to prevent their being sold or traded as originals; and contains other provisions. H.R. 5777. P/H May 16, 1973; P/S amended August 2, 1973; House disagreed to Senate amendments October 2, 1973. (357)

GOVERNMENT PRINTING OFFICE

Provides that certifying officers of the Government Printing Office be responsible for the vouchers they certify for payment to the disbursing officer in the same way as other certifying officers of the Government; and contains other provisions. S. 1794. P/S June 28, 1973. (VV)

Grants the Public Printer the authority to adopt an official Government Printing Office seal which would have judicial recognition, and to designate employees to administer and certify oaths. S. 1795. P/S June 28, 1973. (VV)

Amends the Act of October 30, 1965, 40 U.S.C. 759(e), known as the "Brooks Bill" to restore full authority to the Joint Committee on Printing in the field of printing and binding, and thereby continue the responsibility for the administration of the contract on marginally punched continuous forms in the Government Printing Office under the direction of the Joint Committee on Printing. S. 1802. P/S June 28, 1973. (VV)

Provides the Government Printing Office, the Public Printer, and all officers and employees of the Government Printing Office with immunity from civil or criminal liability in connection with any printing, binding, or distribution services performed at or through the Government Printing Office in accordance with provisions of title 44, U.S.C. S. 2399. P/S October 8, 1973. (VV)

MARITIME AUTHORIZATION, 1974

Authorizes $531,315,000 for fiscal year 1974 for programs of the Maritime Administration within the Department of Commerce, and amends title XI of the Merchant Marine Act, 1936, as amended, to increase the loan guarantee authority of the Maritime Administration from $3 billion to $5 billion. H.R. 7670. Public Law 93-70, approved July 10, 1973. (VV)

MICRONESIAN CLAIMS ACT AMENDMENTS

Enlarges the class of persons eligible to receive benefits under the Micronesian Claims Act of 1971 (Public Law 92-39) to include those who have taken up permanent residency and become citizens of the United States, and permits the Secretary of the Interior to make some payments prior to the adjudication and certification of all claims in order to prevent an inflationary effect on the economy of Micronesia. H.R. 6628. Public Law 92- , approved 1973. (VV)

MINT BUILDINGS

Increases from $45 million to $95 million the authorization to the Department of the Treasury for the construction of mint facilities, such funds to be appropriated as may be necessary for each fiscal year beginning after June 30, 1963, and ending before July 1, 1983, with the provision that the aggregate of such sums shall not exceed the $95 million authorization. S. 1901. P/S June 27, 1973. (VV)

MOTOR VEHICLE DEFECT REMEDY ACT

Amends the National Traffic and Motor Vehicle Safety Act by empowering the Secretary of Transportation to require that the manufacturer of a motor vehicle or an item of motor vehicle equipment (including tires) which contains a safety related defect or a failure to comply with a motor vehicle safety standard to remedy such defect or failure to comply without charge to the consumer; defines the administrative hearing procedure available to such manufacturer; provides for a procedure whereby the Secretary can act immediately to remove an obvious hazard by applying to a District Court for

such temporary or permanent relief as may be necessary to protect the public; authorizes therefor an appropriation of not to exceed $46.773 million for fiscal year 1974; and contains other provisions. S. 355. P/S May 17, 1973. (VV)

NATIONAL COMMISSION ON PRODUCTIVITY—EXTENSION

Extends for an additional 2 months, to June 30, 1973, the President's Commission on Productivity. S.J. Res. 93. Public Law 93–34, approved May 14, 1973. (VV)

NATIONAL COMMISSION ON PRODUCTIVITY AND WORK QUALITY

Renames the President's National Commission on Productivity as the National Commission on Productivity and Work Quality; sets the promotion of the productivity of the American economy and improvement of worker morale and work quality as objectives of the Commission and defines its functions; and contains other provisions. S. 1752. P/S May 10, 1973. (VV)

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES AMENDMENTS

Authorizes appropriations at an increased level of funding for the National Endowment for the Arts and the National Endowment for the Humanities, grants-in-aid to States by the National Endowment for the Arts, and matching funds for gifts to the Endowments, in the total amount of $145 million, $200 million, and $252 million for fiscal years 1974, 1975, and 1976, respectively. S. 795. Public Law 93– , approved 1973. (107)

NATIONAL HISTORIC PRESERVATION ACT

Amends the National Historic Preservation Act of 1966; increases authorizations to $15.6 million, $20 million, and $24.4 million for fiscal years 1974, 1975, and 1976 respectively for matching Federal grants to States and the National Trust for Historic Preservation; extends authorizations of $100,000 for each of fiscal years 1974 and 1975 and authorizes $125,000 for fiscal year 1976 for United States participation in the activities of the Rome Centre; and provides that the Advisory Council on Historic Preservation shall continue in existence until December 31, 1985. S. 1201. Public Law 93–54, approved July 1, 1973. (VV)

NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT

Authorizes appropriations to the National Science Foundation for fiscal year 1974 in the amount of $632.6 million, and in foregn currencies which the Treasury Department determines to be excess to the normal requirements of the United States, $3 million for fiscal year 1974. H.R. 8510. Public Law 93–96, approved August 16, 1973. (VV)

OFFICE OF ENVIRONMENTAL QUALITY AUTHORIZATIONS

Authorizes (in addition to the standing authorization of $1 million per fiscal year contained in Public Law 91–190) an appropriation of $1.5 million for fiscal year 1974 and $2 million for fiscal year 1975 for the operations of the Office of Environmental Quality and the Council on Environmental Quality. S. 1379. Public Law 93–36, approved May 18, 1973. (VV)

OLDER AMERICANS COMPREHENSIVE SERVICES AMENDMENTS

Extends and amends the Older Americans Act of 1965 to enlarge the scope of the services provided therein; improves the organizational structure at the Federal, State, and local level of the agencies having responsibility for the delivery of such services; creates a Federal Council on the Aging to act as an advocate for the elderly with respect to Federal government policies and programs relating to their particular needs and problems; places the Administration on Aging in the Office of the Secretary of Health, Education, and Welfare and assigns primary responsibility for carrying out the act to the Commissioner on Aging; expands the existing program of formula grants to the States by providing funding for a range of social services in accordance with approved State plans; authorizes funds for direct grants to model projects with priority to projects in the areas of housing, education, and special transportation and other services for the physically and mentally impaired elderly; authorizes grants for multidisciplinary centers of gerontology and for multi-purposes senior centers; authorizes grants for training programs for personnel and for research and development projects in the field of aging; provides for a special study and demonstration projects on transportation problems of older Americans; makes surplus commodities available for nutrition programs; authorizes grants to States for older readers services; establishes an Older American Community Services Employment program; and contains other provisions. *NOTE*: (H.R. 15657 [92d-2d], a measure containing similar provisions, was pocket vetoed by President Nixon on October 30, 1973.) S. 50. Public Law 93–29, approved May 3, 1973. (17)

PEACE CORPS ACT AMENDMENTS

Continues the Peace Corps program on a one year authorization of $77,001,000 for fiscal year 1974, and places the Peace Corps under Federal procurement law. H.R. 5293. Public Law 93–49, approved June 25, 1973. (VV)

PRESERVATION OF HISTORICAL AND ARCHEOLOGICAL DATA

Amends a 1960 law under which the Secretary of the Interior, through the National Park Service, conducts archeological salvage programs at reservoir construction to broaden the scope of activity to include all Federal or federally assisted or authorized construction projects which result in alteration of the terrain; authorizes the Secretary to conduct a survey and salvage program upon notification not only by the instigating agency but also by any other Federal or State agency or responsible private organizations or individuals; authorizes construction agencies to use or transfer up to one percent of funds appropriated for a project to the Secretary for survey and salvage work; provides that the costs incurred in connection with public works projects for archeological work under this act would become nonreimbursable projects costs; and contains other provisions. S. 514. P/S May 22, 1973. (VV)

PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT AMENDMENTS

Extends the Economic Development Administration (EDA) programs authorized by the Public Works and Economic Development Act of 1965 to enable disadvantaged local and regional areas to put in place the public facilities essential to economic development, for one fiscal year through June 30, 1974, with a total authorization of $430 million as follows: $200 million for grants under title I for public works and development facilities, of which not less than 25 percent nor more than 35 percent is for newly defined redevelopment areas under section 401 (a) (6); $55 million for loan assistance under title II for financing public works and facilities and redevelopment area projects; $35 million for technical assistance under title III for alleviating conditions of excessive unemployment in certain areas; $45 million under title IV for projects in economic development centers and for an increase in grant assistance for projects to redevelopment areas; and $95 million for title V Regional Action Planning Commissions; continues the moratorium on changing the designation of economic development districts for one year; provides for up to 100 percent instead of up to 75 percent funding for administrative expenses of Indian tribes eligible for certain grants-in-aid under title III; and contains other provisions. H.R. 2246. Public Law 93–46, approved June 18, 1973. (117)

RECREATION USE FEES

Amends the Land and Water Conservation Fund Act of 1965 to provide that there will be no charge for the day use or recreational use of certain facilities in recreational areas which most visitors might use. S. 1381. P/S May 16, 1973. (VV)

Amends the Land and Water Conservation Fund Act of 1965 to provide that there will be no charge for the day use or recreational use of certain facilities in recreational areas which most visitors might use; provides that there will be no charge for access to or use of any campground not having certain specified sanitary and convenience facilities; and defines the term "single visit" for purposes of charging admission fees as the length of time a visitor remains within the boundary of a designated fee area from the day he arrives to the day he leaves except that on the same day such admission fee is paid, the visitor may leave and re-enter the same area without payment of an additional fee. H.R. 6717. Public Law 93–81, approved August 1, 1973. (VV)

RENEGOTIATION ACT AMENDMENTS; SOCIAL SECURITY BENEFITS INCREASE

Extends to June 30, 1974, the Renegotiation Act of 1951, as amended, which authorizes the Government to recapture excessive profits on certain Government contracts and subcontracts; provides a social security cost of living benefit increase of approximately 5.6 percent effective June 1, 1914; increases the monthly income guaranteed under the Federal Supplemental Security Income (SSI) program for aged, blind and disabled persons from $130 to $140 for an individual and from $195 to $210 a month for a couple for months after June 1974; increases the earnings limitation for persons drawing social security from $2,100 to $2,400; raises taxable wages under social security from $12,000 in 1974 to $12,600; contains provisions to assure that aged, blind, and disabled persons now receiving cash assistance or eligible for Medicaid are protected from a reduction in benefits or loss of Medicaid eligibility when the SSI program becomes effective next January 1975; suspends for 4 months the Department of Health, Education, and Welfare's authority to issue new social services regulations scheduled to become effective July 1, 1973, unless new changes are proposed by the Department and approved by the Senate Finance Committee and the House Ways and Means Committee; and contains other provisions. H.R. 7445. Public Law 93–66, approved July 9, 1973. (255)

SERVICE CONTRACT ACT EXTENSION TO CANTON ISLAND

Amends section 8(d) of the Service Contract Act of 1965 (which provides labor standards and prevailing wage requirements for employees working under Government service contracts) to extend the jurisdiction of the act to Canton Island in the central Pacific which, in 1939, the United States and the United Kingdom jointly agreed to administer until 1989. H.R. 5157. Public Law 93–57, approved July 6, 1973. (VV)

*SMALL BUSINESS ACT AMENDMENTS

Amends section 4(c)4 of the Small Business Act to increase the total amount of loans, guarantees, and other obligations or commitments outstanding by the Small Business Administration (SBA); consolidates and expands the present authorities in the Small Business Act provided by the Coal Mine Safety Act of 1969, the Occupational Safety and Health Act of 1970, and the Egg Product Inspection Act of 1970, into a new section authorizing loans to help small business concerns comply with standards imposed under any Federal law in order to provide a uniform approach and single framework for the extension of economic disaster loans to aid small business firms in complying with new Federal environmental,

consumer, pollution, and safety standards; provides that Farmers Home Administration (FHA) and Small Business Administration disaster loans made in connection with disasters occurring after December 26, 1972, and prior to April 20, 1973, the enactment date of Public Law 93–24 which amended the emergency loan programs, are to be made on the same loan terms; provides disaster relief assistance through the SBA and FHA programs which is retroactive to April 20, 1973, and is to terminate on July 1, 1975, whereby borrowers may obtain a $2,500 forgiveness on their loan and finance the balance at 3 percent or may choose not to accept any forgiveness and finance the entire loan at 1 percent; makes victims of erosion eligible for disaster relief; authorizes loans to persons engaged in the business of raising livestock who suffer substantial economic injury as a result of animal disease; authorizes loans to small businesses which suffer substantial economic damage as a result of the closing or reduction in the scope of operation of military bases; and contains other provisions. S. 1672. Vetoed September 22, 1973. Senate sustained veto September 25, 1973. (140,407)

Increases the Small Business Administration's (SBA) loan authority; authorizes SBA loans to meet regulatory standards; specifies that Farmers Home Administration disaster loans made in connection with disasters occurring after December 26, 1972, when the program was curtailed, and prior to April 20, 1973, the enactment date of Public Law 93–24 which amended the emergency loan programs, are to be made under the terms of the law then in effect, as are SBA loans, and not under Public Law 93–24, thus putting FHA and SBA loans on the same footing with regard to the lower interest and forgiveness features for that period; deletes the requirement that applicants for FHA loans for disasters occurring on or after December 27, 1972, must be unable to obtain credit elsewhere at reasonable rates and terms, thus placing availability of FHA loans on a par with SBA disaster loans, and also deletes the "credit elsewhere" requirement for FHA loans in Public Law 93–24 in regard to disasters occurring on or after April 20, 1973, thus making the 5 percent rate under Public Law 93–24 uniformly available; authorizes SBA loans for adjustment assistance in base closings; and contains other provisions. S. 2482. P/S September 28, 1973. (423)

TRAVEL AGENTS REGISTRATION

Amends the Travel Agents Registration Act to require persons "engaged in the business of conducting a travel agency" to secure, by January 1, 1974, registration certificates from the Secretary of Transportation through the Director of a Bureau of Travel Agents Registration to be established in the Department of Transportation. S. 2300. P/S October 11, 1973. (VV)

TRUST TERRITORY OF THE PACIFIC ISLANDS

Authorizes $60 million for fiscal years 1974 and 1975 for the Trust Territory of the Pacific Islands for civil works and administrative programs and an additional sum of not to exceed $10 million for each of these fiscal years to be used if necessary to offset reduction in or termination of Federal grant-in-aid programs or other funds made available to the territory by other Federal agencies; extends the authority of the Federal Comptroller for Guam to the Trust Territory of the Pacific Islands and prescribes his duties and responsibilities; and contains other provisions. S. 1385. Public Law 93–111, approved September 21, 1973. (VV)

TRUTH IN LENDING ACT AMENDMENTS (FAIR CREDIT BILLING)

Amends the Truth in Lending Act to protect consumers against inaccurate and unfair billing practices; prohibits, in title I, The Fair Credit Billing Act, unfair credit billing practices including provisions relating to resolution of billing errors, regulation of credit reports, acknowledgement of billing inquiries, prompt crediting of payments, length of the billing period, use of cash discounts, and prohibition of offsetting a disputed bill from funds on deposit; contains, in title II, largely technical amendments to improve the administration of the Truth in Lending Act and includes a provision limiting a creditor's maximum liability in a class action suit brought under the act to $100,000 or 1 percent of the creditor's net worth, whichever is less; prohibits, in title III, The Equal Credit Opportunity Act, any creditor from discriminating against any person on account of sex or marital status in granting or denying credit, including all credit transactions, whether for consumer, business, or other purposes and includes cash loans, installment sales, mortgage loans and the opening or closing of a revolving charge account; and contains other provisions. S. 2101. P/S July 23, 1973.

UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT AMENDMENTS

Amends the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to provide, until July 1, 1976, for full Federal funding of the first $25,000 for any single relocation payment for persons displaced by federally assisted programs and projects; expands coverage of the act to persons displaced by eight specified Federal programs; authorizes, through June 30, 1973, the head of a Federal agency to pay a State not in compliance with the act such funds as are necessary, in excess of the first $25,000 of cost, to make all payments and provide all benefits required by the act; and contains other provisions. S. 261. P/S February 2, 1973. (VV)

U.S. TRAVEL SERVICE AUTHORIZATION

Authorizes $22.5 million in each of fiscal years 1974, 1975, and 1976 for the United States Travel Service which is charged with promoting foreign tourism to the United States. S. 1747. P/S Jun 13, 1973. (VV)

VIRGIN ISLANDS LEGISLATURE

Amends the Revised Organic Act of the Virgin Islands so that the Legislature of the Virgin Islands is empowered and directed to provide the procedure for filling any vacancy in the office of a member of the legislature which under present law is filled by appointment by the Governor. H.R. 7699. Public Law 93– , approved 1973. (VV)

VOTER REGISTRATION ACT

Establishes a voter registration system for Federal elections through the mail, establishes within the Bureau of the Census a Voter Registration Administration to administer the program with an Administrator and two Associates of different political parties to be appointed for terms of 4 years by the President and confirmed by the Senate; provides that an individual who qualifies to be a voter under State law and registers as provided under this act shall be entitled to vote in Federal elections in that State; requires States to provide for an applicant to register up to 30 days before a Federal election; provides that the Administration shall prepare voter registration forms designed to provide a simple method to register by mail to be distributed by the Postal Service at least every two years which the applicant shall mail or deliver when completed to the local registration agent who must then notify the applicant of his acceptance or rejection; provides, in regard to prevention of fraudulent registration, that, in addition to appropriate action under State law, a State official shall notify the Administration which shall provide assistance, and that when a State official or the Administration determines that a pattern of fraudulent registration or attempted fraudulent registration exists, either may request the Attorney-General to bring a civil action, in any appropriate United States district court to enjoin fraudulent registration; includes criminal penalties for the falsifying of voter registration forms or voting more than once; provides for payment to the States of the cost, as determined by the Administration, of processing registration forms under this act, and provides financial assistance to States adopting this system for State elections; and contains other provisions. S. 352. P/S May 9, 1973. (121)

WAGNER-O'DAY ACT AMENDMENT

Amends the Wagner-O'Day Act of 1938, as amended by Public Law 92–28, to increase the authorization to the Committee for Purchase of Products and Services of the Blind and Other Severely Handicapped for fiscal year 1974 of $200,000 to $240,000. S. 1413. Public Law 93–76, approved July 30, 1973. (VV)

WAIVER-OF-CLAIMS AUTHORITY

Extends the same waiver-of-claims authority as that granted to the Executive Branch for overpayments of pay and certain allowances to all agencies of the Legislative Branch except the House of Representatives. S. 1803. P/S July 24, 1973. (VV)

WAR CLAIMS—VIETNAM CONFLICT

Increases the rate of detention benefits payable under the War Claims Act of 1948, as amended, to civilian American citizens held as prisoners in Southeast Asia, from $60 per month to $150 per month. S. 1728. P/S October 8, 1973. (VV)

WHITE HOUSE CONFERENCE ON THE HANDICAPPED

Declares that it is the sense of Congress that the President call a White House Conference on the Handicapped within 2 years from the date of enactment of the resolution in order to make recommendations for further research and action in this field, and contains other provisions. S.J. Res. 118. P/S July 18, 1973. (VV)

WOOL PRODUCTS LABELING ACT AMENDMENTS

Amends the Wool Products Labeling Act of 1939 by substituting the term "recycled wool" for the terms "reprocessed wool" and "reused wool" thus combining the terms into one definition for the term "recycled wool." S. 1816. P/S July 20, 1973. (VV)

YOUTH CONSERVATION CORPS

Authorizes the expansion of the Youth Conservation Corps Program and establishes it on a permanent basis to be administered by the Departments of Interior and Agriculture at an annual authorization of $100 million; permits the establishment of a new program of Federal support to States in their administration of Youth Conservation Corps to utilize surplus and/or unused Federal property; and makes available for off-season use by local educational institutions Youth Conservation Corps facilities. S. 1871. P/S October 8, 1973. (VV)

GOVERNMENT EMPLOYEES: CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT AMENDMENT

Amends section 236 of the Central Intelligence Agency Retirement Act of 1964 for certain employees to (1) increase the quota on retirements from 800 to 2,100 for the period July 1, 1969, to June 30, 1974, and (2) establish a quota of 1,500 for retirements between July 1, 1974, and June 30, 1979. S. 1494. Public Law 93–31, approved May 8, 1973. (VV)

CIVIL SERVICE RETIREMENT

Amends section 8340(c), title 5, United States Code, to correct an anomaly regarding employee and survivor's annuities occasioned by the provisions of the present law whereby an employee retiring after the effective date of a cost-of-living increase may receive a smaller annuity than an employee retiring just before the effective date of the increase, retroactively effective to immediate annuities which commence on or after July 2, 1973, the first day after the effective date of the last

preceding cost-of-living increase. H.R. 3799. Public Law 93– , approved 1973. (VV)

CIVIL SERVICE RETIREMENT ANNUITIES

Establishes a minimum civil service retirement annuity equal to the social security minimum primary insurance amount; excludes any individual receiving benefits under title II of the Social Security Act from receiving the civil service retirement annuity benefit; provides minimum amounts to survivors in an amount not less than the monthly minimum allowed under social security and in the case of a surviving child, in an amount not less than three-fourths of the minimum monthly amount allowed under social security; increases annuity payments from the Civil Service Retirement Fund by $240 to an annuitant and $132 to the surviving spouse of an annuitant (resulting in monthly increases of $20 and $11 respectively) whose separation from service occurred prior to October 20, 1969; makes effective immediately upon enactment of this act the social security cost-of-living increase, which under present law (Public Law 93–66) would become effective in June of 1974, in an amount based on "the percentage by which the Consumer Price Index prepared by the Department of Labor for the month of June 1973 exceeds such index for the month of June 1973"; and contains other provisions. S. 1866. P/S September 11, 1973. (379)

CIVIL SERVICE SURVIVORS BENEFITS

Amends the Civil Service Retirement Act to change the 2 year marriage requirement under the Federal retirement system to a 1 year requirement. S. 2174. P/S September 20, 1973. (VV)

EXECUTIVE, LEGISLATIVE, AND JUDICIAL SALARIES

Provides that the Commission on Executive, Legislative, and Judicial Salaries submit its report to the President every other year instead of every four years and that the President likewise make his salary recommendations to the Congress biennially, by August 31, in the odd numbered years beginning in 1973; provides for such recommended pay increases to become effective on the first day of the first pay period which begins after 30 calendar days of continuous session of Congress unless disapproved by Congress by specific legislation changing the pay rates or by passage of a disapproval resolution by either body; and contains other provisions. S. 1989. P/S July 9, 1973. (VV)

FEDERAL EMPLOYEES PAY ADJUSTMENTS

Expresses the disapproval of the Senate of the President's alternative pay plan sent to the Congress September 5, 1973, which would postpone a pay adjustment for Federal employees under the Federal Pay Comparability Act from October 1, to December 1, 1973, thus nullifying the President's postponement so that Federal employees would receive an October 1, 1973, pay adjustment. S. Res. 171. Senate adopted September 28, 1973. (422)

FEDERAL EMPLOYEES RETIREMENT

Allows Federal employees, who meet the present requirements for retirement upon involuntary separation of 25 years of service, or 20 years of service at age 50, to retire at their own option during a period when the employing agency is undergoing a major reduction in force. H.R. 6077. Public Law 93–39, approved June 12, 1973. (VV)

LIBRARY OF CONGRESS

Provides pay increases for members of the police force of the Library of Congress. S. 1904. P/S June 28, 1973. (VV)

NATIONAL GUARD TECHNICIANS' RETIREMENT

Changes, retroactively, from January 1, 1969, the crediting pre-1969 technician service as follows: (1) grants retirement credit for technician service performed before 1969 to all former technicians serving in any position subject to the retirement law on or after January 1, 1969; (2) allows credit for 100 percent of pre-1969 technician service for annuity computation purposes; and (3) permits eligible technicians to pay the full amount rather than 55 percent otherwise owed as a deposit for pre-1969 technician service. S. 871. P/S July 31, 1973. (VV)

SURVIVOR ANNUITIES OF CIVIL SERVICE RETIREES

Amends chapter 83, title 5, U.S.C. by eliminating the reduction in annuity that a retiree takes to provide survivor benefits for his spouse during periods of nonmarriage allowing in effect, full annuity to an annuitant during these periods. S. 628. P/S July 31, 1973. (VV)

HEALTH: CHILD ABUSE PREVENTION AND TREATMENT ACT

Provides financial assistance for demonstration program for the prevention, identification, and treatment of child abuse and neglect through the creation of a National Center of Child Abuse and Neglect within the Office of Child Development in the Department of Health, Education, and Welfare; creates a National Commission on Child Abuse and Neglect to study the effectiveness of existing laws and of programs to prevent, identify, and treat child abuse and neglect, its extent and causes, and the adequacy of Federal, State and local funding for child abuse programs; authorizes $10 million for fiscal year 1974 and $20 million for fiscal years 1975, 1976, 1977, and 1978 respectively; and contains other provisions. S. 1191. P/S July 14, 1973. (282)

COMPREHENSIVE ALCOHOL ABUSE AND ALCOHOLISM PREVENTION, TREATMENT AND REHABILITATION ACT AMENDMENTS

Extends for 2 years through fiscal year 1976 the State formula grant program originally authorized by the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970, Public Law 91–616, maintaining the annual authorization level at $80 million; extends the contract and project grant authority of the Act of 1970 for an additional 3 years through fiscal year 1976, and authorizes therefor appropriations of $90 million for fiscal year 1974, $100 million for fiscal year 1975, and $110 million for fiscal year 1976; adds a new special grant authority providing an additional allotment of $100,000 plus 10 percent of its formula allotment for each State which adopts the Uniform Alcoholism and Intoxication Treatment Act, or legislation substantially similar to that Act, which requires intoxication to be treated as a responsibility of the community's public health and social service agencies rather than of its criminal justice system; prohibits public or private general hospitals receiving funds from Federal agency sources from discriminating in their admissions or treatment policies against any person solely because of his alcohol abuse or alcoholism; deletes the language of the Act of 1970 placing the National Institute on Alcohol Abuse and Alcoholism within the National Institute of Mental Health and substitutes language placing it within the Department of Health, Education, and Welfare, thereby permitting, not requiring, the Secretary to place the Institute elsewhere within the Department; gives the National Institute on Alcohol Abuse and Alcoholism authority for eleven top level positions; places alcoholism project and contract authority under the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act; eliminates duplication by deleting section 247 of the Community Mental Health Centers Act; and contains other provisions. S. 1125. P/S June 21, 1973. (VV)

EMERGENCY MEDICAL SERVICES SYSTEMS ACT

Adds a new title XII to the Public Health Service Act authorizing for public and nonprofit private entities three separate programs of grant and contract assistance (1) for projects which include both feasibility studies and planning for emergency medical services systems; (2) for the establishment and initial operation of such systems, and (3) for expansion and improvement of such systems, and a new program in the present title VII of the act for training programs, especially those that afford clinical experience in systems assisted under the new title XII; requires an applicant for a grant or contract for the establishment and operation or for expansion or improvement of an emergency medical services system (EMS) to demonstrate that the system will meet each of specified component requirements within certain time limitations; provides that applications for grants and contracts for feasibility studies and planning shall include a showing of the need of the area for such a system, the applicant's planning qualifications and willingness to conduct the planning in cooperation with the areawide health planning agency and with the entity responsible for evaluation of the provision of such services in the areas of State health planning; provides that applications for grants and contracts for research in an amount in excess of $35,000 must be recommended for approval by an appropriate peer group review panel designated or established by the Secretary; provides that special consideration shall be given to applications for grants and contracts for establishment and initial operation of systems which will coordinate with statewide systems; contains requirements for emergency medical services systems' components including: inclusion of an adequate number of health professions and allied health professions personnel; appropriate training (including clinical training) for its personnel and continuing education programs; a central communications system interconnected within the system and with other appropriate EMS systems; a transportation system; easily accessible facilities capable of providing services on a continuous basis and access to specialized critical medical care units in the system's service or neighboring area, including transportation; the provision by each system of necessary emergency medical services, without prior inquiry as to ability to pay, to all patients requiring such services; the transfer of patients for follow-up care and rehabilitation, including vocational rehabilitation; provision for public education and information programs; provision for periodic, comprehensive, and independent review and evaluation of the system; capability for providing emergency medical services in its service area during mass casualties, natural disasters, or national emergencies; reciprocal arrangements for services with other or similar systems serving neighboring areas; provision of services in an appropriate geographical area; and for "consumers" (persons without professional training or financial interest in the provision of health care) to have adequate opportunity to participate in the making of policy for the system; establishes an interagency Committee on Medical Services to coordinate all Federal programs and activities which relate to emergency medical services and make recommendations to the Secretary respecting the administration of the new title XII; authorizes appropriations therefor for fiscal years 1974–1976 of $45 million; $65 million, and $75 million respectively, for a total of $185 million for those three fiscal years; directs the Secretary to continue the operation of the following Public Health Service hospitals: in Seattle, Boston, San Francisco, Galveston, New Orleans, Baltimore, Staten Island, and Norfolk at the level in effect on January 1, 1973, and prohibits the Secretary from closing or transferring control of a hospital or reducing its services or activities only if specifically authorized by law enacted after the date of enactment of this legislation. S. 504. Vetoed August 1, 1973; Senate overrode veto August 2, 1973; House sustained veto September 12, 1973. (134,294,358)

Contains provisions identical to S. 504 except for the deletion of provisions concerning

Public Health Service Hospitals. S. 2410. P/S September 19, 1973. (390)

HEALTH MAINTENANCE ORGANIZATION AND RESOURCES DEVELOPMENT ACT

Defines in Part A of Title I, Health Maintenance Organizations, the functions and requirements for a health maintenance organization and the comprehensive health services to be provided by a health maintenance organization; authorizes funds for use by the Secretary of Health, Education, and Welfare for fiscal year 1974–1976 for the following: $45 million for grants for planning and feasibility studies of developing or expanding health maintenance organizations; $70 million for grants for initial development costs; $85 million for construction grants; $85 million for grants for initial cost of operation; $60 million for construction loans; $85 million for loans for initial cost of operation; and $100 million for grants and loans to health maintenance organizations or non-profit entities intending to become HMO's in rural areas; provides, in Part B, for an annual payment to certified health care providers as an initiative award in an amount equal to the administrative costs allowed by the Commission on Quality Health Care Assurance incurred in complying with the requirements of the Commission, and authorizes for this purpose $150 million; authorizes the Secretary to make annual capitation grants to health maintenance organizations during the first 3 years of operation serving persons who cannot meet the expenses of such organizations' premiums; requires that not less than 7.5 percent of the total amount appropriated for Part A of this title be used for this purpose; prohibits transfer of funds within the act; provides for waiver of open enrollment in specified circumstances; requires recipients of Federal funds under this act to keep records of full disclosure of the amount and disposition of funds; and authorizes the Secretary to contract with health maintenance organizations to provide health services to individuals who are eligible for such services from the Indian Health Service; in Title II, Commission on Quality Health Care Assurance Act of 1973, establishes a Commission on Quality Health Care Assurance in the Department of Health, Education and Welfare, composed of 11 members to be appointed by the President with the advice and consent of the Senate; provides that the Commission, among its duties, is to promulgate standards for qualifications of personnel, composition of medical groups, and other characteristics dealing with the adequacy of facilities and equipment; to gather data describing, in statistical terms, the process of health care in various parts of the country; and to monitor and enforce the meaningful and effective consumer disclosure provisions of the legislation; requires the publication of a description of any health care plan covered by this title within 90 days of establishment stating the fees and prices, scope of services, accessibility and availability of services, and a statement of certification by the Commission; authorizes the Commission to suspend certificates of approval of health care providers in certain circumstances; provides for arbitration in malpractice claims; and authorizes a total of $125 million over a three-year period as follows: $15 million for fiscal year 1974, $40 million for fiscal year 1975, and $70 million for fiscal year 1976 to carry out the provisions of title II; and contains other provisions. S. 14. P/S May 15, 1973; P/H amended September 12, 1973; In conference. (132)

HEALTH PROGRAMS EXTENSION ACT

Extends the 12 expiring health authorities in the Public Health Service Act, the Community Mental Health Centers Act, and the Developmental Disabilities Services and Facilities Construction Act, for health research and development; health statistics; public health training; migrant health; comprehensive health planning and services; medical libraries; Hill-Burton facilities construction; allied health training; regional medical programs; family planning; community mental health centers; and developmental disabilities for 1 year to June 30, 1974, at a total authorization level of $1,270.6 million; restricts the authorization for project grants under section 304(e)d of the Public Health Service Act to programs respecting neighborhood health centers, family health centers, lead-based paint poisoning prevention, and rodent control, by prohibiting the funding under this section of programs for which an alternative authority is contained in title I of this act; denies any court, public official, or public authority the right to require individuals or institutions to perform abortions or sterilizations contrary to their religious beliefs or moral convictions because an individual or institution had received assistance under the Public Health Service Act, the Community Mental Health Centers Act, or the Developmental Disabilities Act; and extends to June 30, 1974, the provisions of section 601, title VI, the Medical Facilities Construction and Modernization Amendments of 1970 (Hill-Burton amendments) designed to assure availability of appropriated health funds. S. 1136. Public Law 93–45, approved June 18, 1973. (63,163)

LEAD-BASED PAINT POISONING AMENDMENTS

Amends the Lead-Based Paint Poisoning Act, Public Law 91–695, and authorizes therefor an annual appropriation of $75 million for each of fiscal years 1974–1977; expands the authority of the Secretary of Health, Education, and Welfare to make grants to local and State government units for programs to detect and treat incidents of lead-based paint poisoning to include private, non-profit organizations; increases from 75 percent to 90 percent the Federal share for the cost of such programs; provides that no lead based paint shall be applied to any toy, furniture, or cooking, drinking or eating utensil manufactured and distributed in interstate commerce after enactment of the act; provides that, effective January 1, 1974, that lead-based paint means any paint containing more than 0.06 percent lead, or if the Secretary after completing the study authorized by this act determines that a 0.05 percent level is safe, the 0.05 percent level shall be used instead; and contains other provisions. S. 607. P/S May 9, 1973; P/H amended September 5, 1973; Conference report filed. (VV)

LITTLE CIGAR ACT

Amends the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1331–1340) as amended by the Public Health Cigarette Smoking Act of 1969 by expanding the prohibition on advertising media to include "little cigars"; defines the term "little cigar" to mean any roll of tobacco wrapped in leaf tobacco or any substance containing tobacco (other than cigarettes) and weighing not more than 3 pounds per 1,000 units; and provides that it shall be unlawful to advertise little cigars on any medium of electronic communication subject to the jurisdiction of the Federal Communications Commission. S. 1165. Public Law 93–109, approved September 21, 1973. (VV)

NATIONAL INSTITUTE OF HEALTH CARE DELIVERY ACT

Amends the Public Health Service Act to establish a National Institute of Health Care Delivery as a separate agency within the Department of Health, Education, and Welfare to carry out an accelerated multidisciplinary research and development effort to improve the organization and delivery of health care in the nation; authorizes up to eight regional centers and two National Special Emphasis Centers, a Health Care Technology Center, and a Health Care Management Center; authorizes, for both the Institute and the Centers, $115 million, $130 million, and $145 million for fiscal years 1974, 1975, and 1976 respectively; establishes a 21 member National Advisory Council on Health Care Delivery to advise the Institute on the development, priorities, and execution of its programs, and contains other provisions. S. 723. P/S May 15, 1973. (VV)

NATIONAL RESEARCH SERVICE AWARDS AND PROTECTION OF HUMAN SUBJECTS ACT

In title I, the National Research Service Award Act, consolidates the existing research training and fellowship programs into a single National Research Service Awards authority which would be the major element in the training programs of the National Institutes of Health (NIH) and National Institute of Mental Health and would increase their capability of maintaining a superior national program of research, and provides a revised procedure whereby awards would be provided through the Office of the Director of NIH by the Secretary of Health, Education, and Welfare in consultation with the Directors of NIH and the National Institute for Mental Health;

Establishes, in title II, the Protection of Human Subjects Act, a National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research within the Department of Health, Education, and Welfare, to be composed of 11 members appointed by the President for 4 year terms, with not more than five members to have been engaged in biomedical or behavioral research involving human beings; provides that the Commission is first to undertake a comprehensive investigation and study to identify the basic ethical principles and develop guidelines which should underlie the conduct of biomedical and behavioral research involving human subjects, and second, to develop and implement policies and regulations to assure that research is carried out in accordance with the ethical principles they have identified, develop procedures for certification of Institutional Review Boards and also develop procedures for and make recommendations to the Congress in the areas of sanctions, compensation for injuries or death, and appropriate mechanisms to extend the scope of the Commission's jurisdiction;

Provides protection for individuals and institutions in matters of religious beliefs or moral convictions; prohibits research and experimentation on human fetuses until such time after certification of Institutional Review Boards has been established and the Commission develops policies with regard to the conduct of research on the living fetus or infants;

Contains interim provisions denoting that, until the certification of Boards has been established, it is the responsibility of each institution engaged in such research to determine that the rights and welfare of the subjects involved are fully protected, that the risks are outweighed by the potential benefits to the subject or the importance of the knowledge to be gained, and that informed consent is to be obtained by adequate methods in all but exceptional cases as specified in this act;

Calls for the Commission, in title III, the Special Study of Biomedical Research Act, to make a comprehensive investigation and study of the ethical, social, and legal implications of advances in biomedical research and technology, with a report to be sent to the President and the Congress at least every 2 years together with the recommendations for needed legislation or appropriate action by public or private organizations or individuals;

And contains other provisions. H.R. 7724. P/H May 31, 1973; P/S amended September 11, 1973; Senate requested conference September 11, 1973. (382)

RESEARCH IN AGING ACT

Amends title IV of the Public Health Service Act to provide for the establishment by the Secretary of Health, Education, and Welfare (HEW) of a National Institute on Aging

(NIA) in the National Institutes of Health (NIH) for the conduct and support of biomedical, social, and behavioral research and training related to the aging process and the diseases and other special problems and needs of the aged, as authorized under section 301 of the Public Health Service Act and presently focused in the National Institute of Child Health and Human Development; provides that the Director of NIH shall assign functions to NIA or another institute when the activities overlap; directs the Secretary of HEW to (1) conduct scientific studies, through the Institute, for the purpose of measuring the impact on the biological, medical, and psychological aspects of aging, of all programs conducted or assisted by HEW to meet the needs of the aging in order to obtain data for assessment of the programs by the Institute, (2) carry out public information and education programs to disseminate information developed by the Institute which may aid in dealing with, and understanding, the problems associated with aging, and (3) prepare a comprehensive aging research plan within 1 year after enactment for presentation to the Congress and the President, along with a statement of the staffing and funding requirements necessary to implement the plan; and contains other provisions. *NOTE*: (H.R. 14424 [92d-2d], a similar measure, was pocket vetoed by President Nixon on October 30, 1972.) S. 775. P/S July 9, 1973. (VV)

SCHOOL LUNCH AND CHILD NUTRITION PROGRAMS

Amends section 6 of the National School Lunch Act which authorizes expenditures for commodities to provide a means to enable the Department of Agriculture, to meet school lunch and breakfast program needs for this fiscal year only, to make an estimate as of March 15 of the amount of commodities which the Department will deliver to schools; requires the Secretary (if this estimate is less than 90 percent of the value of the amount the Department originally planned to deliver to schools) to pay the States, no later than April 15, a cash amount equal to the difference between the initial estimate and the amount to be delivered this fiscal year as determined by the March 15 estimate, and to distribute the money to the States according to their ratio of meals served under the school lunch and breakfast program; directs the Secretary to use section 32 funds and funds from section 416 of the Agricultural Act of 1949 for the purposes of this act to request, if necessary, a supplemental appropriation; waives the matching requirements for the funds distributed under this act; and contains other provisions. H.R. 4278. Public Law 93–13, approved March 30, 1973. (VV)

Increases the present 8 cent Federal cash reimbursement for the school lunch program to 12 cents per lunch and sets the school breakfast program reimbursement at 8 cents; provides for an automatic adjustment in Federal reimbursement rates for both the school lunch and school breakfast programs beginning July 1, 1974, to reflect changes in the cost of operating such programs; makes permanent the requirement that the Secretary of Agriculture make cash payments to the States of any funds programed for the purchase of commodities but not expended for that purpose; extends the authorization for the Special Supplemental Food program to June 30, 1975, and increases the authorization for fiscal year 1975 to $40 million; makes agencies of Indian tribes eligible to administer the Special Supplemental Food Program; requires that the Special Milk Program be available to any school or non-profit child care institution that requests it and requires that children who qualify for free lunches shall also be eligible for free milk; increases the membership of the National Advisory Council on Child Nutrition from 13 to 15 members by adding an urban and rural school lunch program supervisor; changes the method of apportioning funds for free and reduced-price lunches and makes eligible for reduced price lunches those students whose parents' income is 75 percent, instead of 50 percent as presently provided, above the income poverty guideline prescribed to receive free lunches. H.R. 9639. P/H September 13, 1973; P/S amended September 24, 1973; House adopted conference report October 12, 1973. (403)

INDIANS: GLEN CANYON NATIONAL RECREATION AREA CONCESSION OPERATIONS

Directs that the annual franchise fee received by the Secretary of the Interior from the concessioner in connection with the Rainbow Bridge floating concession operation in Glen Canyon National Recreation Area be placed in a separate fund of the Treasury, and authorizes the Secretary to transfer annually such fees from the fund to the Navajo Tribe of Indians, in consideration of the tribe's continued agreement to the use of former Navajo Indian Reservation lands for the purpose of anchoring the Rainbow Bridge floating concession facility, S. 1384. P/S May 23, 1973. (VV)

INDIAN CLAIMS COMMISSION

Authorizes not to exceed $1.2 million for the expenses of the Indian Claims Commission for fiscal year 1974, and an additional $900 million for the expense assistance revolving loan fund. S. 721. Public Law 93–37, approved May 24, 1973. (VV)

INDIAN FINANCING ACT

Provides to Indian organizations and individual Indians capital in the form of loans and grants that is needed to promote their economic development; authorizes a $50 million increase for the Revolving Loan Fund; provides a Loan Guarantee and Insurance Program which could generate as much as $200 million in new private capital; authorizes an Interest Subsidy Program; and provides an Indian Business Development Grant Program. S. 1341. P/S July 28, 1973. (VV)

INDIAN JUDGMENT DISTRIBUTION ACT

Provides that if neither House of Congress, within 60 calendar days (excluding adjournments of more than 3 days) from the date of submission of a recommended plan by the Secretary of the Interior regarding the distribution of funds awarded to Indian Tribal groups by the Court of Claims, passes a committee resolution disapproving such plan and thus requires authorizing legislation, the plan will become effective and the distribution of such funds made upon the expiration of the 60 day period or earlier if waived by committee resolutions by both the House and the Senate Committees on Interior and Insular Affairs, thereby relieving the Committees of the necessity of having to legislate on all judgment awards except for the most complicated. S. 1016. Public Law 93– , approved 1973. (VV)

JOINT COMMITTEE ON NAVAJO-HOPI ADMINISTRATION—ABOLISHMENT

Abolishes the Joint Committee on Navajo-Hopi Indian Administration created during the 81st Congress to consider the problems peculiar to the Navajo and Hopi Tribes and oversee the expenditure of funds appropriated for the development of their reservations, construction of facilities, and other needed improvements, work which was principally completed in 1964. S. 267. P/S February 5, 1973. (VV)

KLAMATH INDIAN TRIBAL LAND ACQUISITION

Directs the Secretary of Agriculture to acquire by condemnation the remainder of the Klamath Indian Forest lands, for inclusion in the Winema National Forest, which the Klamath Tribe has directed the United States National Bank of Portland, a private trustee, to sell by the terms of its trust agreement and authorizes for this purpose an amount not to exceed $70 million. H.R. 3867. Public Law 93–102, approved August 16, 1973. (VV)

PUBLICATION OF MATERIAL RELATING TO THE CONSTITUTIONAL RIGHTS OF INDIANS

Amends, for technical reasons, section 701 (c) of title VII of Public Law 90–284 to authorize the appropriation of such sums as may be necessary for the Secretary of the Interior (1) to annually revise and republish the document entitled "Indian Affairs, Laws and Treaties," (2) to revise and publish the treatise entitled "Federal Indian Laws," and (3) to have prepared and printed as a government publication an accurate compilation of the official opinions of the Solicitor of the Department of the Interior relating to Indian affairs. S. 969. P/S June 27, 1973. (VV)

INTERNATIONAL: ATLANTIC UNION DELEGATION

Authorizes the creation of a delegation of 18 eminent citizens (6 each to be appointed by the House of Representatives, the Senate, and the President) to meet with similar unofficial delegations "from such North Atlantic Treaty parliamentary democracies as desire to join in the enterprise" in order to explore the possibility of agreement on a "declaration that the goal of their peoples is to transform their present relationship into a more effective unity based on Federal principles," and empowers the convention to invite other parliamentary democracies to participate in the process, which would also explore the possibilities for a timetable and a commission to move toward the goal by stages. S.J. Res. 21, P/S March 26, 1973. (VV)

BOARD FOR INTERNATIONAL BROADCASTING ACT

Authorizes $50,209,000 for fiscal year 1974 for the operation of Radio Free Europe and Radio Liberty and creates a new Board for International Broadcasting charged with making grants to the radios and overseeing their operations, which shall take over the role presently performed by the State Department of administering grants to the radios. S. 1914. Public Law 93– , approved 1973. (369)

DEPARTMENT OF STATE AUTHORIZATION ACT

Authorizes a total of $682,036,000, including $4.5 million for the U.S. share of expenses of the International Commission on Control and Supervision in Vietnam; prohibits the use of funds on or after August 15, 1973, for further involvement of U.S. forces in hostilities in North Vietnam, South Vietnam, Laos, or Cambodia or direct or indirect aid to North Vietnam unless specifically authorized hereafter by Congress; establishes a new Bureau of Oceans and International Environmental and Scientific Affairs in the Department of State to be headed by an additional Assistant Secrteary; requires that military base agreements with foreign countries be submitted to the Congress where they can be approved either by passage of a concurrent resolution by both the House and the Senate or by the Senate giving its advice and consent to the agreement; requires that funds be cut off for foreign affairs agencies which do not comply within 35 days with requests for information by the Senate Committee on Foreign Relations or the House Committee for Foreign Affairs, and amends section 634(c) of the Foreign Assistance Act, the Hickenlooper amendment containing similar provisions concerning access to information by the Congress and the General Accounting Office, to eliminate the President's privilege of waiving its provisions except with regard to Presidential communications; prohibits the use of funds appropriated pursuant to the act to be used for publicity or propaganda to attempt to influence the outcome of legislation pending before Congress or the outcome of a political election; requires by law the listing by rank order of Foreign Service personnel selected for promotion; states the sense of Congress that the United States and Russia seek agree-

ment on specific mutual reductions in military expenditures; and contains other provisions. H.R. 7645. Public Law 93– , approved 1973. (191)

DIPLOMATIC RELATIONS BETWEEN SWEDEN AND THE UNITED STATES

Expresses the sense of the Senate that "the United States Government and Sweden should restore their normal friendly relations, and confirm this return to normalcy by appointing and dispatching ambassadors to their respective capitals on an immediate basis." S. Res. 149. Senate adopted October 4, 1973. (VV)

ENVIRONMENTAL MODIFICATION AS A WEAPON OF WAR

Expresses as a sense of the Senate that the United States Government should seek the agreement of other governments, including all permanent members of the Security Council of the United Nations, to a proposed treaty for the complete cessation of any research experimentation or use of any environmental or geophysical modification activity as a weapon of war, including weather, climate, earthquake, and ocean modification activity. S. Res. 71. Senate adopted July 11, 1973. (266)

EURATOM COOPERATION ACT OF 1958 AMENDMENT

Amends section 5 of the EURATOM Cooperation Act of 1958, as amended, by increasing the amount, from 215,000 kilograms to 583,000 kilograms, of contained uranium 235 which the United States Atomic Energy Commission is authorized to transfer to the European Atomic Energy Community under the Agreements for Cooperation between the United States and EURATOM. S. 1993. Public Law 93–88, approved August 14, 1973. (VV)

FOREIGN ASSISTANCE ACT

Authorizes appropriations for economic assistance to foreign countries comprised of grants and loans of $1,218,200,000 divided among five development assistance categories, Food and Nutrition, Population Planning and Health, Education and Human Resources Development, Selected Development Programs, and Selected Countries and Organizations, instead of as formerly, providing funds for development loans, technical cooperation and development grants, and the Alliance for Progress; provides for greater transferability of funds among the five categories than is now permitted among present funding categories, whereby the President may transfer not to exceed 15 percent of the funds under one category to another in an amount which does not increase the funds in the other category by more than 25 percent; requires that the country receiving assistance provide at least 25 percent of the total costs of the project or program, which may be on an "in kind" basis, if necessary; repeals section 203 of the Foreign Assistance Act of 1961, thereby eliminating the loan repayment revolving fund administered by the Agency for International Development, from which loan repayment dollar receipts were used to make further development loans, and making all such loans subject to the regular authorization and appropriation process of the Congress; cuts off all funds for the continued involvement of U.S. military forces in hostilities in Indochina by prohibiting the use of funds under this or any other law for military or paramilitary operations by the U.S. in or over Vietnam, Laos, or Cambodia, thus requiring specific Congressional action to authorize and fund any renewal of American involvement in war in these countries; prohibits U.S. funding or support for any military or paramilitary activities by third country military personnel in Laos, Cambodia, North Vietnam, South Vietnam, or Thailand, unless specifically authorized by act of Congress enacted after this bill becomes law; contains a sense of the Congress resolution that the United States should not furnish aid to South Vietnam or any other party to the Vietnam cease-fire agreement if that party does not comply with the agreement; and contains other provisions. S. 2335. P/S October 2, 1973. (442)

FOREIGN MILITARY SALES AND ASSISTANCE ACT, 1974

Authorizes a total of $770 million for the foreign military grant assistance and sales programs and the economic supporting assistance program; authorizes $420 million for military grant aid on a country-by-country basis instead of in a lump sum which is allocated by the Executive Branch; requires military grant assistance recipients to pay 10 percent of the amount of the grant in their own currency to pay official U.S. costs; authorizes $200 million for credit sales to current grant recipients on concessional terms from July 1, 1973, to June 30, 1978; requires prior notification to Congress of military sales over $25 million or cumulative sales over $50 million in one year, which may then be made unless either House of Congress adopts a resolution within 30 days of continuous session thereafter disapproving the sale; prohibits the transfer of naval vessels to foreign countries except under the authority of this act; authorizes $25 million for foreign military training purposes; authorizes $125 million for supporting assistance on a country-by-country basis, of which not less than $50 million is to be available to Israel and $65 million to Jordan; prohibits the use of any appropriation for police or related training programs for foreign countries; emphasizes the authority of the Secretary of State over the military assistance and sales policy by authorizing funds directly to the Secretary rather than to the President; authorizes a program of military assistance for Vietnam and Laos to replace that provided through Department of Defense authorization and appropriation bills; authorizes one-for-one replacement of arms and munitions for South Vietnam and Laos in accordance with the cease-fire agreements; authorizes $150 million in military aid for Cambodia with the provision that if a cease-fire is reached in Cambodia any additional arms or munitions shall be in accordance with the terms of the cease-fire; authorizes the President, in the event of a new offensive by North Vietnam, to provide unlimited military aid to South Vietnam; requires quarterly reports from the President on all U.S. assistance to South Vietnam, Laos, or Cambodia, the nature and extent of the official American presence, and the general status of implementation of the cease-fire agreements; and contains other provisions. S. 1443. P/S June 26, 1973; P/H amended July 26, 1973; In conference. (226)

INTERNATIONAL MONETARY FUND AND INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Amends subsection (b) of section 3 of the Bretton Woods Agreements Act to authorize the President, by and with the advice and consent of the Senate to appoint different individuals to serve as alternates for the governor of the International Monetary Fund and of the International Bank for Reconstruction and Development. S. 1887 Public Law 93–94, approved August 15, 1973. (VV)

INTERNATIONAL VOYAGE LOAD LINE ACT

Repeals the Foreign Load Lines Act, 1929, as amended, and substitutes this act, which provides the necessary legislation to implement the provisions of the International Convention on Load Lines, 1966, to which the United States is a party and which came into force on July 21, 1968, making it unlawful for a vessel to be so loaded as to submerge the prescribed load line or the point where an appropriate load line should be marked. S. 1352. Public Law 93–115, approved October 1, 1973. (VV)

PEOPLE'S REPUBLIC OF CHINA—DIPLOMATIC PRIVILEGES

Authorizes the President to extend to the Liaison Office of the People's Republic of China in Washington and to the members thereof the same privileges and immunities subject to corresponding conditions and obligations as are enjoyed by diplomatic missions accredited to the United States and by members thereof. S. 1315. Public Law 93–22, approved April 20, 1973. (VV)

PROHIBITION OF INTERVENTION IN FOREIGN POLITICAL AFFAIRS

Prohibits any citizen or resident of the United States from offering a contribution to any agency or employee of the United States for the purpose of influencing the outcome of an election for public office in a foreign country; makes it unlawful for any officer, employee, or agent of the United States to solicit or accept contributions to candidates or political parties to influence an election for public office in a foreign country; and contains other provisions. S. 2239. P/S July 26, 1973. (VV)

RADIO FREE EUROPE AND RADIO LIBERTY SUPPLEMENTAL AUTHORIZATION, 1973

Authorizes additional fiscal year 1973 appropriations of not to exceed $1.5 million for Radio Free Europe and Radio Liberty to provide for increased costs resulting from the devaluation of the dollar on February 12, 1973. S. 1972. Public Law 93–59, approved July 6, 1973. (V)

TREATIES: AGREEMENT WITH CANADA FOR THE PROMOTION OF SAFETY ON THE GREAT LAKES

Terminates and replaces a similar agreement betwen the United States and Canada providing for safety on the Great Lakes; requires that, effective January 1, 1975, all vessels covered by the agreement must have very high frequency radiotelephone equipment operating in a certain band; designates a uniform distress, safety and calling frequency; and updates the technical regulations to conform with modern radio practices and capabilities. Ex. J, 93d–1st. Resolution of ratification agreed to October 1, 1973. (428)

AMENDMENT TO ARTICLE 61 OF THE CHARTER OF THE UNITED NATIONS

Amends article 61 of the United Nations Charter relating to the composition of the Economic and Social Council (ECOSOC) and the election to membership thereon by the General Assembly which would increase the size of the council from 27 to 54 members and provide for an interim procedure to achieve this new size. The primary function of ECOSOC, whose powers are recommendatory and advisory, is to promote economic and social progress, cultural cooperation and universal respect for human rights, and to coordinate the activities of the various U.N. specialized agencies and the International Atomic Energy Agency. Ex. L, 93d–1st. Resolution of Ratification agreed to September 5, 1973. (366)

CONSULAR CONVENTION WITH HUNGARY

Establishes consular relations between the United States and the People's Republic of Hungary which will afford American citizens in Hungary a greater degree of consular protection and guarantee quick and unhindered communication between a citizen and his consul and prompt notification to the consul of any detention or other limitation, and provides for the establishment of consulates and the exchange of consular appointments according each country the facilities, privileges, and immunities afforded under similar bilateral consular conventions in force with a number of other countries. Ex. W, 92d–2d. Resolution of Ratification agreed to March 27, 1973. (58)

CONSULAR CONVENTION WITH POLAND

Establishes consular relations between the United States and the Polish People's Re-

public; guarantees early notification of detention of a country's nationals and access thereto; describes consular functions and responsibilities in such fields as the issuance of visas and passports and the performance of notorial services; provides for the inviolability of consular personnel with regard to legal proceedings in the host country; and contains other provisions afforded under similar bilateral consular conventions in force with a number of other countries. Ex. U, 92d–2d. Resolution of Ratification agreed to March 27, 1973. (56)

CONSULAR CONVENTION WITH ROMANIA

Replaces the convention currently in existence between the United States and the Socialist Republic of Romania; improves consular services in both countries to include the issuance of passports and visas, performances of notorial services, and representation of the interests of nationals in estate matters; assures that consuls whose nationals are detained or whose personal freedom is limited will be notified promptly and will have the right to visit and communicate with such nationals; and contains other provisions afforded under similar bilateral consular conventions in force with a number of other countries. Ex. V, 92d–2d. Resolution of Ratification agreed to March 27, 1973. (57)

CONVENTION FOR THE PROTECTION OF PRODUCERS OF PHONOGRAMS

Provides that contracting states, under their respective domestic laws, will protect the nationals of other contracting states against the making or importation of duplicate phonograms (records and tapes) without the consent of the producer if the intent is to distribute them to the public. Ex. G, 93d–1st. Resolution of ratification agreed to October 1, 1973. (429)

CONVENTION FOR THE SAFETY OF LIFE AT SEA AMENDMENTS

Provides for improved radio-telephone watch procedures, more modern radiotelephonic devices, more detailed procedures for the operation of radiotelephonic equipment, and new regulations concerning traffic separation schemes. Ex. I, 93d–1st. Resolution of Ratification agreed to August 3, 1973. (362)

CONVENTION ON ENDANGERED SPECIES

Establishes a system by which governments may strictly control the international trade in specimens of species which are, or may be, in danger of becoming extinct as a result of that trade. Ex. H, 93d–1st. Resolution of Ratification agreed to August 3, 1973. (360)

CONVENTION ON THE PREVENTION OF MARINE POLLUTION

Establishes in each country party to the Convention a national system for regulating the ocean disposal of wastes comparable to the system provided for the United States by Title I of Public Law 92–532, the Marine Protection, Research and Sanctuaries Act of 1972. Ex. C, 93d–1st. Resolution of Ratification agreed to August 3, 1973. (359)

CONVENTION WITH JAPAN FOR THE PROTECTION OF BIRDS AND THEIR ENVIRONMENT

Provides for the protection of species of birds which are common to the United States and Japan or which migrate between them, and provides that each country will develop programs to preserve and enhance the environment of the birds protected by this agreement. Ex. R, 92d–2d. Resolution of Ratification agreed to March 27. 1973. (60)

EXCHANGE OF NOTES WITH ETHIOPIA CONCERNING THE ADMINISTRATION OF JUSTICE

Terminates the notes exchanged on September 7, 1951, concerning the administration of justice and constituting an integral part of the Treaty of Amity and Economic Relations Between the United States and Ethiopia. Termination of the notes, which set forth special commitments on the part of the Ethiopian Government regarding the trial of cases involving American citizens, would be in conformity with the U.S. policy of basing international agreements, in general, on the principles of equality and reciprocity. Ex. B, 93d-1st. Resolution of Ratification agreed to March 27, 1973. (59)

EXTRADITION TREATY WITH ITALY

Terminates and replaces the extradition treaty between the United States and Italy signed at Washington March 23, 1968, as later amended and supplemented; provides for the extradition of persons charged with any of 30 specified offenses including offenses relating to narcotic drugs and aircraft hijacking or in the case of conspiracy to commit any of the specified offenses; defines territorial application to include all territory under the jurisdiction of either party including territorial waters and airspace as well as registered aircraft in flight; and permits refusal of extradition unless assurances are received that the death penalty will not be imposed for an offense not punishable by death in the country from which extradition is requested. Ex. M, 93d–1st. Resolution of ratification agreed to October 1, 1973. (430)

EXTRADITION TREATY WITH PARAGUAY

Terminates and supersedes the Extradition Treaty between the United States and the Republic of Paraguay done at Asuncion on March 26, 1913; provides for the extradition of persons charged with any of 30 specified offenses including offenses relating to narcotic drugs and aircraft hijacking or in the case of conspiracy to commit any of the specified offenses; defines territorial application to include all territory under the jurisdiction of either party including territorial waters and airspace as well as registered aircraft in flight; and permits refusal of extradition unless assurances are received that the death penalty will not be imposed for an offense not punishable by death in the country from which extradition is requested. Ex. S, 93d-1st. Resolution of ratification agreed to October 1, 1973. (431)

EXTRADITION TREATY WITH URUGUAY

Terminates a 1905 treaty between the United States and Uruguay except that crimes listed in that treaty and committed prior to the entry into force of the present treaty shall be subject to the provisions of the 1905 treaty; provides for the extradition of persons charged with any of 30 specified offenses including offenses relating to narcotic drugs and aircraft hijacking or in the case of conspiracy to commit any of the specified offenses; defines territorial application to include all territory under the jurisdiction of either party including territorial waters and airspace as well as registered aircraft in flight; and permits refusal of extradition unless assurances are received that the death penalty will not be imposed for an offense not punishable by death in the country from which extradition is requested. Ex. K, 93d-1st. Resolution of ratification agreed to October 1, 1973. (432)

INTERNATIONAL COFFEE AGREEMENT 1968, AS EXTENDED

Extends the International Coffee Agreement of 1968 for 2 years, to September 30, 1975, deleting all operative provisions but preserving the structure of the International Coffee Organization. Ex. O. 93d–1st. Resolution of ratification agreed to October 1, 1973. (427)

INTERNATIONAL CONVENTION ON LOAD LINES AMENDMENTS

Amends the 1966 Load Lines Convention (which established uniform rules concerning the limits to which ships on international voyages may be loaded and brought international load line regulations into accord with modern developments and techniques in ship construction) by correcting a number of errors and ambiguities which have become apparent in such matters as technical terminology, geographic reference points, and cross references. Ex. D, 93d–1st. Resolution of Ratification agreed to August 3, 1973. (361)

UNITED NATIONS ENVIRONMENT PROGRAM PARTICIPATION ACT

Authorizes an appropriation of $40 million for the total U.S. contribution to the United Nations Environment Fund and limits the fiscal year 1974 contribution to $10 million. H.R. 6768. P/H May 15, 1973; P/S amended June 8, 1973. House requested conference October 3, 1973; In conference. (VV)

UNITED STATES INFORMATION AGENCY AUTHORIZATION

Authorizes $216,775,000 for fiscal year 1974 for the United States Information Agency to carry out international informational activities under the authority of the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, and Reorganization Plan Number 8 of 1953. S. 1317. Public Law 93– , approved 1973. (151,452)

UNITED STATES OCEANS POLICY

Endorses the ocean policy objectives which were envisioned in the President's Ocean Policy Statement of May 23, 1970, and which are now being pursued by the United States delegation to the United Nations Seabed Committee preparing for the Law of the Sea Conference with regard to: (1) Protecting the freedoms of the high seas, beyond a twelve mile territorial sea, for navigation, communication, and scientific research, and free transit through and over international straits; (2) recognizing certain international community rights; (3) providing for the orderly and just development of mineral resources of the deep seabed as the common heritage of mankind; and (4) for the conservation and protection of living resources with regulation of fisheries, coastal State management of coastal species, and international management of such migratory species as tuna; and commends the United States delegation for its excellent work and encourages its efforts for an early agreement on an ocean treaty embodying these goals. S. Res. 82. Senate adopted July 9, 1973.

LABOR: EMERGENCY EMPLOYMENT ACT AMENDMENTS

Extends for 2 years, through fiscal year 1975, the Emergency Employment Act of 1971 (public employment program) and authorizes $1.25 billion for fiscal year 1974 and such sums as may be necessary for fiscal year 1975; focuses the legislation to those in greatest need and for whom the government has the clearest responsibility: the disabled and Vietnam-era veterans, the economically disadvantaged, those unemployed for 15 weeks or more, and persons unemployed as a result of the closing of or a reduction in activities at a Defense Department facility; seeks assurance that sponsors will fill at least half of the public service jobs with disabled or Vietnam-era veterans; and contains other provisions. S. 1560. P/S July 31, 1973. (346)

*FAIR LABOR STANDARDS AMENDMENTS (MINIMUM WAGE)

Extends coverage to include under the definitions of employer and employee: the United States and any State or political subdivision of a State or intergovernmental agency, with the exemption of elected officials, their personal staff, appointees on the policy making level, or immediate advisors in State and local governments; includes within coverage, employees whose vocation is domestic service;

Establishes, for employees in activities covered by the Act prior to the 1966 amendments, an hourly minimum of $2.00 during the period ending June 30, 1974, and $2.20 thereafter; establishes, for employees in agriculture, an hourly minimum of $1.60 during the period ending June 30, 1974, $1.80 during the year beginnng July 1, 1974, $2.00 an hour the year beginning July 1, 1975, and $2.20 an hour after June 30, 1976; establishes, for em-

ployees newly covered by the 1966 amendments and by the 1973 amendments, an hourly minimum of $1.80 during the period ending June 30, 1974, $2.00 during the year beginning July 1, 1974, and $2.20 thereafter.

Provides for presently covered employees in Puerto Rico and the Virgin Islands effective on the effective date of the legislation: (A) increases of 12 cents an hour of their wage order rates are less than $1.40 an hour; and (B) an increase of 15 cents an hour if their wage order rates are $1.40 an hour or higher; provides that newly covered employees (including commonwealth and municipal employees) are to have their wage rates set by special industry committees, and that this wage rate may not be less than 60 percent of the otherwise applicable or $1.00 an hour, whichever is greater; and that all employees (other than commonwealth and municipal employees) will receive, beginning one year after the effective date of this legislation, yearly increases of (A) 12 cents an hour per year if their wage order rates are less than $1.40 and (B) increases of 15 cents an hour per year if their wage order rates are $1.40 an hour or higher; provides that the following employees in Puerto Rico and the Virgin Islands are to have their rates set as if they were employed in the U.S. mainland: hotel, motel, restaurant and food services employees and U.S. employees and employees of the government of the Virgin Islands;

And contains other provision. H. R. 7935. Vetoed September 6, 1973. House sustained veto September 19, 1973. (229,355)

JOB TRAINING AND COMMUNITY SERVICES ACT—MANPOWER REVENUE SHARING

Provides the legislative basis for special revenue sharing for manpower programs so that States and localities assume primary responsibility for carrying out training and employment programs in accordance with locally determined needs; authorizes $1.88 billion, of which $1.55 billion is for job training and $239 million for local community services activities; and contains new provisions relating to prime sponsors, program agents, councils and decategorization, as well as other provisions. S. 1559. P/S July 24, 1973. (313)

LABOR-MANAGEMENT RELATIONS ACT AMENDMENTS

Amends section 302(c) of the Labor-Management Relations Act of 1947 to add legal service programs for employees, their families, and dependents for counsel or plan of their choice to the specified employer financed fringe benefits which may be established through joint labor-management administration, with the provision that legal services funds may not be used in suits against contributing employers except in workmen's compensation cases, suits against participating labor organizations, or suits against any employer or labor organization where the matter arises under the National Labor-Relations Act or this act or where a labor organization would be prohibited from defraying the costs of legal services by the provisions of the Labor-Management Reporting and Disclosure Act of 1957. S. 1423. Public Law 93–95, approved August 15, 1973. (136)

PENN CENTRAL RAIL DISPUTE

Provides for Federal intervention to bring about a temporary halt in the strike of certain employees of the United Transportation Union against the Penn Central Transportation Company arising out of the Penn Central's plan to eliminate approximately 5,700 train crew positions by applying the final paragraph of section 10 of the Railway Labor Act (45 USC 160) and extends the 30-day period provided for in section 10, to 12:01 A.M., May 9, 1973, in order to secure additional time for an agreement to be reached; requires the Secretary of Transportation, not later than 45 days following enactment, to file a report to the Congress providing a full and comprehensive plan for the preservation of essential rail transportation services in the northeast section of the Nation; requires the Secretary of Labor, not later than 30 days following enactment, to submit to Congress a report detailing the progress, if any, of all negotiations, and any recommendations for a proposed solution; and contains other provisions. S.J. Res. 59. Public Law 93–5, approved February 9, 1973. (VV)

*REHABILITATION ACT OF 1972

Amends the Vocational Rehabilitation Act to provide for more services to handicapped individuals; places greater emphasis on research and training of rehabilitation personnel and the development of innovative rehabilitation techniques, equipment, and devices which would make employment more feasible for a handicapped individual; establishes an Office for the Handicapped within the Department of Health, Education, and Welfare; creates a Federal Interagency Committee on Employment of the Handicapped, a National Commisssion on Transportation and Housing, and an Architectural and Transportation Barriers Compliance Board to continue and expand services to the handicapped and provides for an order of priority to serve those individuals with the most severe handicaps; and contains other provisions. *Note:* (A similar measure, H.R. 8395 [92d-2d], was pocket vetoed by President Nixon on October 27, 1972.) S. 7. Vetoed March 27, 1973. Senate sustained veto April 3, 1973. (27, 74)

REHABILITATION ACT OF 1973

Repeals the existing Vocational Rehabilitation Act (29 U.S.C. 31–42) ninety days after the date of enactment of this act; provides, in title I, the administrative provisions for vocational rehabilitation services and includes State plan provisions; includes in the State plan requirements provisions to insure that special emphasis is given to serving those individuals with the most severe handicaps; requires that an individualized written rehabilitation program be drawn up for every handicapped individual served in consultation with that individual; directs the Secretary of Health, Education, and Welfare to undertake a comprehensive study of the feasibility of the methods designed to prepare individuals with the most severe handicaps for entry into vocational rehabilitation programs and report his findings and any recommendations to the Congress by February 1, 1975; consolidates, in title II, Research and Training, all research and training authority in existing law, to be administered by the Secretary through the Commissioner of the Rehabilitation Services Administration (RSA), providing a statutory basis for the RSA and the appointment of the Commissioner by the President; emphasizes applied research and the development of technology and devices to aid in solving rehabilitation problems of handicapped individuals and directs the establishment of Rehabilitation Engineering and Research Centers in order to aid in such development; includes a program of international research and exchange of personnel and technical assistance; contains, in title III, all special programs, grants, and related service activities which are not carried out by the State rehabilitation agency; includes a consolidated special project authority, with special emphasis on projects for spinal cord injured, severely handicapped deaf and older blind individuals. and an earmarking of money under special projects for migratory agricultural workers; combines, in title IV, provisions of existing law, with changes and additions, relating to Secretarial responsibilities for administration and evaluation; directs the Secretary to ensure that maximum coordination and consultation takes place with the Veterans' Administration at the national and local levels with respect to rehabilitation services and related programs for disabled veterans; directs the Secretary to prepare, in consultation with other agencies, handicapped individuals and public and private organizations, a long-range projection for the provision of comprehensive services to handicapped individuals; includes, in title V, Miscellaneous Provisions, the creation of a Federal Interagency Committee on Handicapped Employees and an Architectural and Transportation Barriers Compliance Board; and contains other provisions. H.R. 8070. Public Law 93–112, approved September 26, 1973. (384)

MEMORIALS, TRIBUTES, AND MEDALS: B. EVERETT JORDAN DAM AND LAKE

Changes the name of the New Hope Dam and Lake, North Carolina, to the B. Everett Jordan Dam and Lake. S. 2282. P/S August 3, 1973. (VV)

CABLE CAR MEDALS

Authorizes the Secretary of the Treasury to strike and furnish to the San Francisco Cable Car Centennial Committee not more than 150,000 medals commemorating the 100th anniversary of the invention of the cable car, and contains other provisions. S. 776. Public Law 93–114, approved October 1, 1973. (VV)

COMMEMORATION OF MEMBERS OF THE ARMED SERVICES WHO SERVED IN THE VIETNAM WAR

States as a sense of the Senate that on Memorial Day, May 28, 1973, special commemoration be accorded the 359,879 dead and wounded members of the Armed Forces whose loss and suffering were occasioned by the war in Vietnam. S. Res. 117. Senate adopted May 21, 1973. (VV)

EISENHOWER MEMORIAL

Authorizes the use, for grants to Eisenhower College, Seneca Falls, New York, of $1 of the proceeds of the sale of each of the silver dollar proof coins being offered to the public at $10 each which bear the likeness of the late President of the United States, Dwight David Eisenhower. S. 1264. P/S May 2, 1973. (VV)

FORT SCOTT, KANS.

Amends the act of August 31, 1965, commemorating certain historical events in the State of Kansas to authorize additional Federal participation in the historic restoration, preservation, and commemoration of Fort Scott, Kansas. H.R. 7976. Public Law 93– , approved —— 1973. (VV)

JAMES W. TRIMBLE DAM

Renames the Beaver Dam on the White River in northwest Arkansas the James W. Trimble Dam. S. 2463. P/S October 10, 1973. (VV)

JIM THORPE MEDALS

Authorizes the Secretary of the Treasury to strike and furnish to the Jim Thorpe Memorial-Oklahoma Athletic Hall of Fame Commission up to 100,000 national medals commemorating the outstanding achievements of Jim Thorpe. H.R. 4507. Public Law 93– , approved 1973. (VV)

JOHN WESLEY POWELL FEDERAL BUILDING

Names the headquarters building in the Department of Interior's Geological Survey National Center now under construction in Reston, Virginia, as the "John Wesley Powell Federal Building." S. 1618. P/S June 27, 1973. (VV)

LAW DAY

Pays tribute to the law enforcement officers of the United States on Law Day, May 1, 1973. S.J. Res. 11. P/S March 15, 1973. (VV)

LYNDON B. JOHNSON

Expresses the profound sorrow and deep regret of the Senate on the announcement of the death of Lyndon B. Johnson, a former President of the United States and a former Representative and Senator from the State of Texas, and designates the Presiding Officer of the Senate to appoint a committee to consist of all the members of the Senate to attend the funeral of the former President. S. Res. 24. Senate adopted January 23, 1973.

H. Res. 152. House adopted January 23, 1973. (VV)

Expresses the sense of the Congress that in recognition of the long and distinguished service rendered to the nation and to the world by Lyndon B. Johnson, 36th President of the United States, his remains be permitted to lie in state in the rotunda of the Capitol from January 24 to January 25, 1973. H. Con. Res. 90. House adopted January 23, 1973. Senate adopted January 23, 1973. (VV)

Provides for payment out of the contingent fund of the Senate of all necessary expenses incurred as a result of S. Res. 24, which provides for members of the Senate to attend the funeral of Lyndon B. Johnson. S. Res. 34. Senate adopted January 24, 1973. (VV)

LYNDON B. JOHNSON SPACE CENTER

Designates the manned spacecraft center in Houston, Texas, as the "Lyndon B. Johnson Space Center" in honor of the late President. S.J. Res. 37. Public Law 93–8, approved February 17, 1973. (VV)

MEMBERS OF THE ARMED FORCES MISSING IN ACTION IN INDOCHINA

Pays special tribute to the members of the Armed Forces who are missing in action in Indochina on Memoroal Day, May 28, 1973, and contains other provisions. S. Res. 115. Senate adopted May 15, 1973. (VV)

MONUMENT TO 1ST INFANTRY DIVISION

Authorizes the erection, in the District of Columbia, of a monument to the dead of the First Infantry Division, United States Forces in Vietnam. S.J. Res. 66. P/S February 19, 1973. (VV)

RICHARD B. RUSSELL DAM AND LAKE

Renames the Trotters Shoals Dam and Lake on the Savannah River, Georgia and South Carolina, the Richard B. Russell Dam and Lake. S. 2496. P/S October 10, 1973. (VV)

ROBERTO WALKER CLEMENTE MEDALS

Authorizes the Secretary of the Treasury to strike and furnish to the Chamber of Commerce of Greater Pittsburgh, Pittsburgh, Pa., one gold medal and not more than 200,000 duplicate medals to commemorate the outstanding athletic, civic, charitable and humanitarian contributions of Roberto Walker Clemente, and contains other provisions. H.R. 3841. Public Law 93–33, approved May 14, 1973. (VV)

SENATOR STENNIS' BIRTHDAY

Extends congratulations to Senator John C. Stennis on his birthday. S. Res. 156. Senate adopted August 3, 1973. (VV)

SKYLAB III ASTRONAUTS

Commends the astronauts of the Skylab III and their support teams on the ground for successfully completing man's longest stay in space. S. Res. 175. Senate adopted September 26, 1973. (VV)

VETERANS DAY

Expresses gratitude and pays respects to the Vietnam veterans on Veterans Day 1973 for their part in attaining peace in Vietnam and making it possible to observe Veterans' Day 1973 in peace. S. Con. Res. 51. P/S October 11, 1973. (VV)

VIETNAM WAR MEMORIAL

Provides for the erection in the District of Columbia of a memorial in honor of those who served in the Armed Forces of the United States in the Vietnam war, and contains other provisions. S.J. Res. 45. P/S April 12, 1973. (VV)

NATURAL RESOURCES—ENVIRONMENT: ALASKA PIPELINE

In title V, the Trans-Alaskan Pipeline Authorization Act, makes a finding that the early delivery of oil and gas from Alaska's North Slope to domestic markets is in the national interest and that actions of the Secretary of the Interior and all other Federal agencies and officers heretofore taken on behalf of the executive branch with respect to the proposed trans-Alaska oil pipeline shall be regarded as satisfactory compliance with the provisions of the National Environmental Policy Act of 1969 and all other applicable laws; authorizes and directs the Secretary and all other Federal agencies and officers, without further action under the National Environmental Policy Act of 1969 or any other law, and notwithstanding the provisions of any law other than this title, such rights-of-way, leases, permits, approvals, and other authorizations necessary for the construction, operation, and maintenance of a trans-Alaskan oil pipeline system, a State of Alaska highway, and no more than three State of Alaska airports, all in accord with applications on file with the Secretary on the date of this act, with the route of the pipeline system to follow generally the route described in the pending applications, and subject to compliance with the stipulations contained in volume I of the final Environmental Impact Statement on the pipeline issued by the Secretary on March 20, 1972; authorizes, in title I, Rights-of-Way on Federal Lands, the Secretary or appropriate agency head, to grant, issue, or renew rights-of-way over, upon, or through Federal lands for pipelines for oil or natural gas, reservoirs and other systems for impoundment, storage, transportation, or distribution of water, transportation or distribution of liquids and gases, other than oil, water, and natural gas, electric energy systems except insofar as the Federal Power Commission has jurisdiction under the Act of June 10, 1920, as amended (16 U.S.C. 796, 797), communications and electronic systems, highways and other means of ground transportation, and any other necessary transportation or other systems which are in the public interest; provides that pipelines and other systems for the transportation of oil or natural gas and storage and terminal facilities therefor shall be operated as common carriers; in title II, authorizes negotiations by the executive branch with the Government of Canada to ascertain its willingness to permit construction of pipelines or other transportation systems across Canada territory for the transport of natural gas and oil from Alaska's North Slope to U.S. markets in regard to subsequent projects; grants, in title III, the Federal Trade Commission the requisite authority to insure prompt enforcement of the law the Commission administers by granting statutory authority to directly enforce subpoenas issued by the Commission and to seek preliminary injunctive relief to avoid unfair competitive practices; and contains other provisions. S. 1081. P/S July 17, 1973; P/H amended August 2, 1973; In conference. (289)

AMERICAN FALLS DAM REPLACEMENT

Authorizes the Secretary of the Interior to enter into appropriate agreements to permit the water-users to arrange for the financing and construction of a replacement for the existing American Falls Dam, Upper Snake River project, Idaho, which has become unsafe as a result of deteriorating concrete which would be acquired by the Secretary and operated as a feature of the existing Minidoka Reclamation project. S. 1529. P/S June 19, 1973. (VV)

ARKANSAS RIVER BASIN COMPACT

Grants the consent of the United States to an interstate compact beween Arkansas and Oklahoma, signed on behalf of the two States on March 16, 1970, to provide for the equitable apportionment of the waters of the Arkansas River and tributaries between the two States and encourages each State to maintain active programs of anti-pollution controls to further reduce water pollution in the Arkansas River Basin. S. 11. P/S June 28, 1973; P/H amended September 17, 1973. (VV)

CLEAN AIR ACT EXTENSIONS

Extends for 1 year to June 30, 1974, the Clean Air Act, as amended, authorizes the appropriation therefor of $475 million for fiscal year 1974; and contains other provisions. S. 498. P/S January 26, 1973. (VV)

Extends for 1 year, to June 30, 1974 the provisions of the Clean Air Act of 1970 and extends, at constant dollar amounts, the authorization of appropriations in the act, which would otherwise expire June 30, 1973, in the total amount of $475 million. H.R. 5445 Public Law 93–15, approved April 9, 1973 (VV)

EAGLES NEST WILDERNESS

Designates as wilderness approximately 128,384 acres in the Arapahoe and White River National Forests in Colorado to be known as the Eagles Nest Wilderness S. 1864. P/S October 11, 1973. (VV)

ENDANGERED SPECIES ACT

Provides for conservation, protection and propagation of endangered species of fish and wildlife by Federal action and by encouraging the establishment of State endangered species conservation programs; authorizes jointly, the Secretaries of Interior and Commerce to list within their respective jurisdictions species which are either (1) endangered or (2) likely to become endangered within the forseeable future; directs the Secretary to use funds under the Land and Water Conservation Fund Act of 1956 for land acquisition necessary for the purpose of conserving, protecting, restoring or propagating any endangered species; provides for financial aid to State wildlife management agencies which enter into cooperative or management agreements with the Secretary; imposes criminal and civil penalties for violations of the act; exempts Alaskan native Indians and under certain conditions, any non-native resident of an Alaska Native village from the provisions of the bill regarding the taking of any endangered or threatened species if the action is for the purpose of consumption or use in a native community; and contains other provisions. S. 1983. P/S July 24, 1973; P/H amended September 18, 1973; In conference. (313)

FLOOD CONTROL ACT

Authorizes development of flood control, multi-purpose and related projects and provides for studies and surveys to determine whether other plans should be developed.

NOTE

(S. 4018 [92d–2d], a similar measure, was pocket vetoed by President Nixon on October 27, 1972.) S. 606. P/S February 1, 1973. (5)

GRAND CANYON NATIONAL PARK, ARIZONA

Provides greater protection to the Grand Canyon of Arizona by creating an enlarged Grand Canyon National Park consisting of 272.5 miles of the Grand Canyon which will be managed as a single, natural area by the National Park Service. S. 1296. P/S September 24, 1973. (VV)

INTERSTATE ENVIRONMENT COMPACT ACT

Provides the congressional consent required for any two or more States to enter into interstate compacts in the field of air pollution as set forth in section 102(c) of the Clean Air Act, as amended, and in the field of water pollution by section 103(b) of the Federal Water Pollution Control Act, as amended, and gives advance consent to interstate agreements called for by the Solid Waste Disposal Act, as amended; permits signatories to enter into supplementary agreements not inconsistent with applicable Federal law, with each other, with other interstate agencies, and with the Federal Government and its agencies for the purpose of controlling interstate environmental pollution problems in the fields of land use, coastal zone management, energy production and transmission, and related activities; pro-

vides that supplementary agreements are to become binding upon the signatory upon execution of the agreement by the chief executive and signatory legislative action to approve or condition the agreement, and provides that the Congress may by act of law expressly disapprove or condition the agreement within 90 days of congressional session following receipt of the agreement; provides for special supplementary agreements with foreign nations with the advance consent of Congress; provides that a signatory may withdraw from the compact by legislative enactment upon giving notice to all signatories a year in advance of its formal withdrawal; provides that nothing in this act shall affect Federal environmental protection legislation; and contains other provisions. S. 9. P/S June 22, 1973. (VV)

LAND USE POLICY AND PLANNING ASSISTANCE ACT

Establishes a national land use policy to encourage and assist the States to more effectively exercise their constitutional responsibilities for the planning and management of their land base through the development and implementation of State land use programs; establishes a grant-in-aid program to assist State and local governments and agencies to hire and train the personnel, collect and analyze the data, and establish the institutions and procedures necessary to develop and implement State land use programs; authorizes for grants to states $100 million a year for 8 years; establishes a grant-in-aid program to encourage cooperation among the States concerning land use planning and management in interstate regions and authorizes $15 a year for 8 years therefor; authorizes $2 million a year for 8 fiscal years for training and research grants and contracts; establishes a grant-in-aid program to assist Indian tribes to develop land use programs for reservation and other tribal lands and to coordinate such programs with the planning and management of Federal and non-Federal lands adjacent thereto, and authorizes for this purpose $10 million a year for 8 years; authorizes the Executive Office of the President to issue guidelines to implement this act; authorizes the Secretary of the Interior to administer the grant-in-aid and other programs established under this act, to review, with the heads of other Federal agencies, statewide land use planning processes and State land use programs for conformity to the provisions of this act, and to assist in the coordination of activities of Federal Agencies with State land use programs; authorizes $10 million each year for five fiscal years to the Secretary for administration of this act; provides that the programs of this act be consistent with antipollution regulations and policies already enacted; establishes an Interagency Advisory Board on Land Use Policy to assist in the exchange of data and information pertinent to land use decisionmaking among all levels of government and the public and to recommend to the Congress such legislation it deems appropriate to establish land use policies and any requirement or procedures necessary to assure that such policies are implemented; and contains other provisions. S. 268. P/S June 21, 1973. (205)

NATIONAL SEA GRANT COLLEGE AND PROGRAM ACT OF 1966 AMENDMENTS

Provides an authorization of $30 million, $40 million, and $50 million for fiscal years 1974, 1975, and 1976 respectively for the National Sea Grant College marine research development programs within the Department of Commerce; authorizes $200,000 for a study of means of sharing, through cooperative programs with other nations, the results of marine research; and authorizes the Secretary to make contracts with and grants to participants for this purpose without matching share requirements; and contains other provisions. H.R. 5452. Public Law 93–73, approved July 10, 1973. (VV)

OIL POLLUTION ACT AMENDMENTS

Amends the Oil Pollution Act to conform with the 1969 and 1971 amendments to the International Convention for the Prevention of the Pollution of the Sea by Oil, 1954, as amended dealing with intentional discharges of oil and oily wastes from vessels and expands the penalty provisions of the Act. H.R. 5451. Public Law 93–119, approved October 4, 1973. (VV)

REIMBURSEMENT FOR SEWAGE TREATMENT FACILITIES CONSTRUCTION

Authorizes an additional $600,000,000 under the Federal Water Pollution Control Act Amendments of 1972 for reimbursement on sewage treatment construction projects began prior to the 1972 amendments in anticipation of future availability of Federal funds before 1972; extends the deadline for filing reimbursement applications from October 18, 1973, to December 31, 1973; and provides for preliminary disbursement of funds to projects which can be easily approved on the basis of available documentation pending final processings of all projects. S.J. Res. 158. P/S October 11, 1973. (VV)

SAFE DRINKING WATER ACT

Establishes a program within the Environmental Protection Agency (EPA) to regulate drinking water whereby the Federal Government will exercise a new responsibility to set standards and provide assistance in order to protect public water supplies from contamination by providing that (1) EPA establish minimum Federal drinking water standards prescribing maximum limits for contaminants as well as standards for the operation and maintenance of drinking water systems and surveillance, monitoring, site selection and construction standards for public water systems to assure safe dependable drinking water; (2) EPA establish recommended standards to assure esthetically adequate drinking water; (3) the States may establish standards which are more stringent than the Federal drinking water standards; (4) the States will be primarily responsible for enforcing the standards, with Federal enforcement if the States fail to act or in cases of imminent hazard; (5) a National Drinking Water Council be established to advise the administrator on scientific and engineering matters; (6) EPA conduct and promote research, technical assistance, and training of personnel for water supply occupations; (7) EPA conduct a rural water survey within two years of enactment; (8) EPA make grants for special study and demonstration projects with respect to water supply technology; (9) EPA make grants to the States to defray the costs of State programs; and (10) citizens be authorized to bring injunctive suits against violators of primary drinking water standards and against the Administrator for failing to perform mandatory duties. S. 433. P/S June 22, 1973. (VV)

SALINE WATER PROGRAM AUTHORIZATION, 1974

Authorizes appropriations at an increased level of $9,127,000 for fiscal year 1974 for the Federal Saline Water Conversion programs conducted by the Secretary of the Interior to support a continuing research program into attractive new desalting technologies and to retain a technical capability in the Federal government to support planning and development which involves desalination, and contains other provisions. S. 1386. Public Law 93–51, approved July 1, 1973. (VV)

SHENANDOAH NATIONAL PARK, VIRGINIA

Designates as wilderness approximately 80,000 acres in the Shenandoah National Park, Virginia, under the provisions of the Wilderness Act of September 3, 1964 (78 Stat. 890). S. 988. P/S September 20, 1973. (VV)

SOLID WASTE DISPOSAL ACT EXTENSIONS

Extends for 1 year, to June 30, 1974, the Solid Waste Disposal Act, as amended; authorizes the appropriation of $216 million for fiscal year 1974 to the Administrator of the Environmental Protection Agency and $22.5 million for fiscal year 1974 to the Secretary of the Interior, to carry out the provisions of this act; and contains other provisions. S. 498. P/S January 26, 1973. (VV)

Extends for 1 year, to June 30, 1974, the Solid Waste Disposal Act of 1967 (as amended by the Resource Recovery Act of 1970) and extends for 1 year, at constant dollar amounts the authorization for appropriations therefor in the total amount of $238.5 million. H.R. 5446. Public Law 93–14, approved April 9, 1973. (VV)

STRIP MINING

Establishes a nationwide program to prevent the adverse effect to society and the environment resulting from surface mining; places the authority for the administration of the Act with the Secretary of Interior who shall prepare and publish within 6 months, regulations concerning coal surface mining and reclamation operations and a detailed description of actions to be taken by a State to develop an acceptable Stable program to regulate such operations; establishes the Office of Reclamation and Enforcement in the Department of the Interior which will be headed by a Director to be named by the President, with the advice and consent of the Senate; establishes the prerequisites for any State to continue to obtain financial assistance and to assume full responsibility for all regulation of surface mining and reclamation within the State, and provides for Federal regulation of strip mining and reclamation in any State which proves unwilling or unable to do so itself; establishes an interim surface mining permit program which is in effect until the deadline for approval of a State program; sets requirements for performance bonds which must be filed before a surface mining permit is issued, such bond to satisfy the costs for reclamation of the land mined; sets criteria to be met by all surface mining and reclamation operations under a State program, a Federal program, the Federal Lands Program or the State or Federal interim permit; provides for civil and criminal penalties for certain violations of the act; provides for citizen suits against persons violating the act or against the responsible regulatory authority; sets guidelines for the establishment of a process for designation of areas as unsuitable for surface mining; applies the requirements of the Act to public corporations, agencies, and utilities, including the Tennessee Valley Authority, which engage in surface mining; authorizes $100 million to create an "Abandoned Mine Reclamation Fund" to be used to reclaim abandoned land which has been subjected to the worst ravages of past mining activities; authorizes $4 million for studies concerning surface mining for minerals other than coal, open pit mining and reclamation standards, the impact of Federal control on contour surface mining, means to maximize resource recovery and minimize environmental impacts and regulation of surface mining on Indian lands; authorizes for administration and Federal-State matching grants $10 million for fiscal year 1973 and $20 million for the following two years; authorizes the President to suspend any of the provisions of the Act under emergency conditions; provides that where the surface owner is not the owner of the mineral rights, written consent or waiver by the owner must be obtained, or the surface miner must execute a bond to secure payment to the surface owner of any damage in addition to the performance bond required except where the owner of the mineral rights is the Federal Government in which case surface and pit mining is prohibited; authorizes $100,000 (which is increased to $250,000 in the fourth and subsequent years) to be used on a matching basis for the establishment of mining and mineral research centers at one college or university in each State; directs the Cost of

Living Council to grant increases in coal prices to offset whatever additional production costs may result from the implementation of the Act; authorizes grants to States to assist persons who become unemployed as a result of the administration and enforcement of the Act; and contains other provisions. S. 425. P/S October 9, 1973. (450)

TOXIC SUBSTANCES CONTROL ACT

Prevents unreasonable threats to human beings or the environment from the use of chemical substances and products containing chemical substances; authorizes the Environmental Protection Agency (EPA) to restrict the use or distribution of such substances or products by providing that: (1) new chemical substances which may pose unreasonable threats to human health or the environment be tested by their manufacturer prior to commercial production and the test results reviewed by EPA prior to production and that notification be given to EPA prior to the commercial production of all other new chemicals; (2) EPA specify and require testing of those existing chemical substances which there is reason to believe may present unreasonable threats to human health or the environment; (3) EPA be given regulatory authority, to restrict use or distribution, to seize chemical substances in violation of certain requirements of the Act, and to take immediate action against the chemical substances creating imminent hazards; (4) manufacturers and processors of chemical substances be required to maintain certain records and reports to enable the Administrator of EPA to properly determine hazards; and (5) citizens be allowed to bring suits to enjoin certain violations of the act and to require the performance of mandatory duties of the Administrator of EPA; and contains other provisions. S. 426. P/S July 18, 1973; P/H amended July 23, 1973; In conference. (VV)

UNITED STATES FISHING INDUSTRY

Sets forth congressional resolve to provide all necessary support to strengthen the United States fishing industry and to protect our coastal fisheries against excessive foreign fishing, and to provide interim measures to conserve overfished stocks and to protect our national fishing industry; recognizes, encourages, and supports the key responsibilities of the several states for conservation and scientific management of fisheries resources within the United States territorial waters; and commends Federal programs designed to improve coordinated protection, enhancement, and scientific management of all United States fisheries, both coastal and distant, including presently successful Federal-aid programs under the Commercial Fisheries Research and Development Act of 1964, and the newly developing Federal-State fisheries management programs. S. Con. Res. 11. P/S June 1, 1973. (VV)

WASTELAND TREATMENT PLANT OPERATIONS TRAINING PROGRAM

Continues through fiscal year 1974 the pilot operator training program for wastewater treatment plants (section 104(g) (1) of the Federal Water Pollution Control Act) at the annual authorization level of $7.5 million. S. 1776. P/S June 28, 1973. (VV)

WATER RESOURCES PLANNING ACT AMENDMENTS

Authorizes an appropriation of $3.5 million annually for fiscal years 1974 and 1975 for the Water Resources Council to carry out certain functions assigned to it under the provisions of the Water Resources Planning Act of 1965, as amended. S. 1501. Public Law 93–55, approved July 1, 1973. (VV)

WILD AND SCENIC RIVERS ACT AMENDMENTS

Extends to October 2, 1978, the protection period from water resource projects for the 27 rivers now under study for possible inclusion in the national wild and scenic rivers system; increases the funding authorization from $17 million to $37.6 million to permit completion of acquisitions for seven of the eight rivers designated as the first components of the system; authorizes the Secretaries of the Interior and Agriculture to acquire State land within the river corridors of components of the system not only by donation but also exchange of Federal land in other areas; puts a definite three fiscal year time limit on the studies for all rivers designated by Congress; removes the authority of either Secretary, without ever reporting to Congress, to terminate a study of, and remove protection for, any river which Congress has designated for study; and provides that the President must report to Congress on each river study. S. 921. P/S September 24, 1973. (VV)

NOMINATIONS: ACTION BY ROLLCALL VOTE

Alvin J. Arnett, of Maryland, to be Director of the Office of Economic Opportunity: Nomination confirmed September 12, 1973. (383)

Vincent R. Barabba, of California, to be Director of the Census: Nomination confirmed July 24, 1973. (315)

Peter J. Brennan, of New York, to be Secretary of Labor: Nomination confirmed January 31, 1973. (4)

William P. Clements, Jr., of Texas, to be a Deputy Secretary of Defense: Nomination confirmed January 23, 1973. (1)

William Egan Colby, of Maryland, to be Director of Central Intelligence: Nomination confirmed August 1, 1973. (352)

Clarence M. Kelley, of Missouri, to be Director of the Federal Bureau of Investigation: Nomination confirmed June 27, 1973. (228)

Dr. Henry A. Kissinger, of the District of Columbia, to be Secretary of State: Nomination confirmed September 21, 1973. (394)

Elliot L. Richardson, of Massachusetts, to be Secretary of Defense: Nomination confirmed January 29, 1973. (3)

Elliot L. Richardson, of Massachusetts, to be Attorney General: Nomination confirmed May 23, 1973. (145)

James R. Schlesinger, of Virginia, to be Director of Central Intelligence: Nomination confirmed January 23, 1973. (2)

James R. Schlesinger, of Virginia, to be Secretary of Defense: Nomination confirmed June 28, 1973. (243)

William L. Springer, of Illinois, to be a member of the Federal Power Commission: Nomination confirmed May 21, 1973. (141)

Russell E. Train to be Administrator of the Environmental Protection Agency: Nomination confirmed September 10, 1973. (375)

Caspar W. Weinberger, of California, to be Secretary of Health, Education, and Welfare: Nomination confirmed February 8, 1973.

PROCLAMATIONS: DIGESTIVE DISEASE WEEK

Designates the week of May 20–26, 1973, as "Digestive Disease Week." S.J. Res. 114. P/S May 17, 1973. (VV)

HONOR AMERICA DAY

Declares the twenty-one days from Flag Day, June 14, 1973, to Independence Day, July 4, 1973, as a period to honor America. S. Con. Res. 27. P/S May 31, 1973; P/H June 13, 1973. (VV)

INTERNATIONAL CLERGY WEEK IN THE UNITED STATES

Designates the week of January 28, 1973, as "International Clergy Week in the United States". H.J. Res. 163. Public Law 93–2, approved January 26, 1973. (VV)

JIM THORPE DAY

Designates April 16, 1973, as "Jim Thorpe Day". S.J. Res. 73. Public Law 93–19, approved April 16, 1973. (VV)

JOHNNY HORIZON '76 CLEAN UP AMERICA MONTH

Designates the period of September 15, 1973, through October 15, 1973, as "Johnny Horizon '76 Clean Up America Month". H.J. Res. 695. Public Law 93–108, approved September 19, 1973.

MIDDLE EAST CRISIS

States as a sense of the Senate that we deplore the outbreak of hostilities in the Middle East and support the use of the offices of the United States by the President and Secretary of State to urge the participants to bring about a cease-fire and a return of the parties involved to lines and positions occupied by them prior to the outbreak of current hostilities, and further, that the Senate expresses its hope for a more stable condition leading to peace in that region. S. Res. 179. Senate adopted October 8, 1973. (VV)

MISSISSIPPI RIVER

Designates June 17, 1973, as a day of commemoration marking the 300th anniversary of the opening of the upper Mississippi River by Jacques Marquette and Louis Jolliet. S.J. Res. 102. Public Law 93–41, approved June 14, 1973. (VV)

NATIONAL ARTHRITIS MONTH

Designates the month of May 1973 as "National Arthritis Month", and contains other provisions. H.J. Res. 275. Public Law 93–21, approved April 20, 1973. (VV)

NATIONAL AUTISTIC CHILDREN'S WEEK

Designates the week which begins on June 24, 1973, as "National Autistic Children's Week". H.J. Res. 296. Public Law 93–42, approved June 15, 1973. (VV)

NATIONAL CLEAN WATER WEEK

Designates the period beginning April 15, 1973, as "National Clean Water Week". H.J. Res. 437. Public Law 93–18, approved April 14, 1973. (VV)

NATIONAL CONSUMER EFFORT TO SAVE GAS AND ARRIVE ALIVE

Calls for all motor vehicle operators travelling on high-speed roads on week-ends and holidays, between the date of passage of this resolution and Labor Day, September 3, 1973, to: (1) travel at speed no greater than 10 miles per hour less than the posted speed limit, and (2) turn on headlights to encourage fellow travellers to join in the nation-wide campaign to slow down, save gas, save lives and save money. S. Res. 138. Senate adopted August 2, 1973. (VV)

NATIONAL EMPLOY THE OLDER WORKER WEEK

Designates the second full calendar week in March 1973 as "National Employ the Older Worker Week". H.J. Res. 334. Public Law 93–10, approved March 15, 1973. (VV)

NATIONAL HISTORIC PRESERVATION WEEK

Designates the calendar week beginning May 6, 1973, as "National Historic Preservation Week". S.J. Res. 51. Public Law 93–30, approved May 5, 1973. (VV)

NATIONAL HUNTING AND FISHING DAY

Designates the fourth Saturday of September 1973 as "National Hunting and Fishing Day". H.J. Res. 210. Public Law 93–23, approved April 20, 1973. (VV)

NATIONAL LEGAL SECRETARIES' COURT OBSERVANCE WEEK

Designates the second full week in October of each year as "National Legal Secretaries' Court Observance Week". H.J. Res. 466. Public Law 93–104, approved August 16, 1973. (VV)

NATIONAL MOMENT AND DAY OF PRAYER AND THANKSGIVING

Designates the moment of 7:00 p.m. E.S.T., January 27, 1973, a national moment of prayer and thanksgiving for the peaceful end to the Vietnam war and the 24 hours beginning at the same time as a national day of prayer and thanksgiving, and contains other provisions. H.J. Res. 246. Public Law 93–3, approved February 1, 1973. (VV)

NATIONAL NEXT DOOR NEIGHBOR DAY

Designates the fourth Sunday in September 1973 as "National Next Door Neighbor Day". S.J. Res. 25. Public Law 93–103, approved August 16, 1973.

NATIONAL NUTRITION WEEK

Designates the period from March 3, 1974, through March 9, 1974, as "National Nutrition Week". S.J. Res. 99. Public Law 93– , approved 1973. (VV)

NICOLAUS COPERNICUS WEEK

Designates the week of April 23, 1973, as "Nicholaus Copernicus Week" marking the quinquecentennial of his birth. H.J. Res. 5. Public Law 93–16, approved April 9, 1973. (VV)

JOHN C. STENNIS DAY

Designates Monday, October 15, 1973, as "John C. Stennis Day". S. Res. 180. Senate adopted October 9, 1973. (VV)

WARSAW GHETTO UPRISING

Proclaims April 29, 1973, as a day of observance of the 30th anniversary of the Warsaw ghetto uprising. H.J. Res. 303. Public Law 93–20, approved April 20, 1973. (VV)

WOMEN'S EQUALITY DAY

Designates August 26 of each year as Women's Equality Day in commemoration of that day in 1920 on which the women of America were first guaranteed the right to vote. H.J. Res. 52. Public Law 93–105, approved August 16, 1973. (VV)

SPACE: NASA AUTHORIZATION, 1974

Authorizes appropriations totaling $3,064,500,000 to the National Aeronautics and Space Administration for fiscal year 1974, as follows: for Research and Development, $2,245,500,000, including for space flight operation, $555.5 million, space shuttle, $475 million, advanced missions, $1.5 million, physics and astronomy, $63.6 million, lunar and planetary exploration, $311 million, launch vehicle procurement, $177.4 million, space applications, $161 million, of which $2 million, is provided for NASA to formulate a long-term energy program that would explore options for energy generation and management from the many technologies the agency has developed, aeronautical research and technology, $180 million, space and nuclear research and technology, $72 million, tracking and acquisition data, $244 million, and technology utilization, $4.5 million; for Construction of Facilities, $112,000,000; and for Research and Program Management, $707,000,000; and contains other provisions. H.R. 7528. Public Law 93–74, approved July 23, 1973. (195)

TRANSPORTATION AND COMMUNICATIONS: AIRCRAFT HIJACKING

Amends the Federal Aviation Act of 1958 to provide a more effective program to prevent aircraft piracy on both the international and domestic levels; implements, in Title I, the Convention for the Suppression of Unlawful Seizure of Aircraft (Hague Convention—Ex. A [92d-1st]) to which the United States is a party and which came into effect on October 4, 1971; provides the President authority to suspend air service between the United States and any foreign nation he determines is not acting consistently with the provisions of the Hague Convention, in effect imposing, unilaterally, a U.S. air transport boycott; permits the Secretary of Transportation, with the approval of the Secretary of State, to restrict, limit, or revoke the operating authority of any foreign air carrier failing to afford necessary security safeguards to the traveling public; provides, in Title II, for the screening of all passengers and carry on baggage by weapons detecting devices prior to their being boarded on the aircraft; establishes under the Administrator of the Federal Aviation Administration an Air Transportation Security Force to provide a Federal law enforcement presence at the nation's major airports; and contains other provisions. S. 39. P/S February 21, 1973. (21)

AIRPORT DEVELOPMENT ACCELERATION ACT

Amends the Airport and Airway Development Act of 1970 and the Federal Aviation Act of 1958 to increase Federal financial assistance for airport development throughout the United States; increases the present minimum annual authorization for airport development grants to air carrier and reliever airports to $275 million, and to general aviation aiports to $35 million, for each of fiscal years 1974 and 1975, and the five year limit on obligational authority for the fiscal years 1971–1975 to $1.46 billion, funds which will come from the Airport and Airway Trust Fund; provides that the maximum 50 percent Federal share of project costs will be determined by the total number of passengers enplaned for all air carrier airports operated by the same sponsor and raises the maximum Federal share to 75 percent for general aviation or reliever airports; prohibits the levying by State and local governments of passenger "head" taxes or use taxes on the carriage of persons in air transportation; and contains other provisions. *NOTE:* (An earlier measure, S. 3755 [92–2d], was pocket vetoed by President Nixon on October 27, 1972.) S. 38. Public Law 93–44, approved June 18, 1973. (9)

AMTRAK IMPROVEMENT ACT

Amends the Rail Passenger Act of 1970 to upgrade the quality of rail passenger service and put it on a par with quality rail passenger systems operating in other countries; provides for an authorization for fiscal year 1974 and for an increase in the ceiling on federally guaranteed obligations of the National Railroad Passenger Corporation; authorizes the Corporation to make all reasonable efforts to insure that elderly and handicapped individuals are given equal opportunity to utilize intercity transportation on passenger trains operated by or on behalf of the Corporation; gives the Corporation the power of eminent domain in order to acquire from owners other than governments and railroads right-of-way, land, or other property, and authorizes an Interstate Commerce Commission (ICC) proceeding through which the Corporation can acquire interests in property owned by a railroad or a government entity; requires the Corporation to initiate one new experimental route each year, and to operate it for a two year period and provides a means of discontinuing such service if it proves unsuccessful; vests jurisdiction over safety-related matters in the Department of Transportation and grants the ICC full and adequate powers to assure that adequate service, equipment, tracks, and other facilities are provided for intercity rail passenger service; allows private firms as well as the Corporation to offer auto-ferry service; prohibits any preclearance of budget requests, legislative recommendations, proposed testimony, or comments on legislation before submission to the Congress, and prohibits the impoundment of any funds authorized and appropriated by the Congress; clarifies the relationship of the Corporation to the Department of Transportation thus giving the Corporation more budgetary freedom and more direct accountability to Congress; and contains other provisions. S. 2016. P/S June 28, 1973; twice reconsidered for amendments and passed June 28, 1973; P/H amended September 6, 1973; conference report filed. (VV)

BICENTENNIAL ADVANCED TECHNOLOGY TRANSPORTATION SYSTEM DEMONSTRATION ACT

Authorizes the Secretary of Transportation to make an investigation and study for the purposes of determining the feasibility, social advisability, environmental impact, and economic practicability, of (1) a tracked air-cushioned vehicle or other high-speed ground transportation system between Washington, D.C., and Annapolis, Maryland, and (2) a surface effect vessel or other high-speed marine transportation system between the Baltimore-Annapolis area in Maryland and the Yorktown-Williamsburg-Norfolk area in Virginia for use as part of the Bicentennial celebration and authorizes therefor an appropriation of not to exceed $300,000; directs the Secretary to report the results of such investigation and study, together with his recommendations, to the President and the Congress, no later than 9 months after enactment of this act; and authorizes the Secretary to enter into such contracts and other arrangements as necessary for the construction and operation of such systems if such study demonstrates their feasibility; and contains other provisions. S. 797. P/S June 14, 1973. (VV)

CORPORATION FOR PUBLIC BROADCASTING AUTHORIZATIONS, 1973

Amends the Communications Act of 1934 to authorize appropriations for the Corporation for Public Broadcasting at an increased level for fiscal years 1974 and 1975 of $50 million and up to an additional $5 million in matching funds for gifts for fiscal year 1974 and $60 million and up to an additional $5 million in matching funds for gifts for fiscal year 1975; authorizes appropriations of $25 million for fiscal year 1974 and $30 million for fiscal year 1975 for construction of educational television and radio broadcasting facilities; requires radio and television stations receiving Federal assistance to make audio recordings of programs involving discussions of important public issues and make them available to the public at cost; and contains other provisions. *NOTE*: (H.R. 13918 [92d–2d], a similar bill, was vetoed by President Nixon on June 30, 1972.) S. 1090. Public Law 93–84, approved August 6, 1973. (113)

"DELTA QUEEN"

Extends until November 1, 1978, the existing exemption of the steamboat "Delta Queen" from certain vessel laws relative to the construction standards of the Safety-at-Sea Act (Public Law 89–777). H.R. 5649. Public Law 93–106, approved August 16, 1973. (VV)

EMERGENCY COMMUTER RELIEF

Authorizes not to exceed $800 million ($400 million for fiscal year 1974, and an aggregate of not to exceed $800 million for fiscal year 1975) for fiscal years 1974 and 1975 for the Secretary of Transportation, on such terms and conditions as he may prescribe, to make grants or loans to State or local public bodies in order to assist them in maintaining adequate transportation services in urban areas by providing financial assistance (requiring one-third local contribution) to pay operating expenses incurred as a result of providing such services; provides for the establishment of a reasonable fare structure for each area according to its particular local needs; authorizes an additional $20 million for each of fiscal years 1974 and 1975 for research and development, establishment, and operation of demonstration projects to determine the feasibility of fare-free urban mass transportation systems; and contains other provisions. S. 386 P/S September 10, 1973; P/H amended October 3, 1973. (376)

EMERGENCY RAIL SERVICES ACT AMENDMENTS

Assures the continuance of essential rail service in the Northeast and Midwest by authorizing the Secretary of Transportation to contract with the trustees of any railroad in reorganization under section 77 of the Bankruptcy Act for the continued provision of service in the case of actual or threatened cessation of such services; allows the Secretary to acquire by purchase, lease, or other transfer any equipment, facilities, or operating rights over the tracks of such a railroad; and contains other provisions. S. 2060. P/S July 27, 1973. (332)

ESSENTIAL RAIL SERVICES CONTINUATION ACT

Assures the continuance of essential rail service in the Northeast and Midwest in the event that one or more of the seven railroads presently in reorganization under section 77 of the Bankruptcy Act ceases operations by authorizing the Interstate Commerce Commission to direct one carrier by railroad to operate over the lines of a non-operating car-

rier; requires the Commission to issue just and reasonable directions to the operating carrier which cover the handling, routing, and movement of traffic of the non-operating carrier; limits the duration of such directions to sixty days unless extended by the Commission for a period of not to exceed 180 days; authorizes funds to be appropriated in such amounts as may be necessary to reimburse a directed carrier for losses incurred because of operations it is directed to engage in by the Commission; and contains other provisions. S. 1925. P/S July 14, 1973. (VV)

FEDERAL-AID HIGHWAY ACT

Authorizes, in title I, the Federal-Aid Highway Act of 1973, for the Interstate highway program $2.6 billion for fiscal year 1974, $3 billion for each of fiscal years 1975 and 1976, and $3.25 billion for each of fiscal years 1977, 1978, and 1979;

Eliminates the present single authorization for the primary and secondary systems and their urban extensions and substitutes a separate authorization for the rural and urban portions of these systems as follows: primary system in rural areas, $680 million for fiscal year 1974 and $700 million for each fiscal year thereafter, secondary systems in rural areas funded at $390 million and $400 million per fiscal year thereafter; authorizes for the urban system, $780 million for fiscal year 1974 and $800 million per fiscal year thereafter, with extensions of the primary and secondary system in urban areas funded at $290 million for fiscal year 1974 and $300 million per fiscal year thereafter; for forest development trails, $140 million per fiscal year; for parkways, $60 million for fiscal year 1974 and $75 million thereafter; for Indian reservation roads and bridges, $75 million per fiscal year; for economic growth center development highways, $50 million for fiscal year 1974, $75 million for 1975, and $100 million for 1976;

Extends the time for completion of the Interstate system until June 30, 1979;

Expands the urban system as presently designated to encompass all urban areas and to include collector streets and access roads to airports and other transportation terminals, with the urban system to be established as the State highway department may designate, and with the routes to be selected by local official with the concurrence of the State highway departments;

Permits the Secretary to approve as a project on any Federal-aid system the construction of exclusive or preferential bus lanes, highway traffic control devices, bus passenger loading areas and facilities (including shelters) and fringe and transportation corridor parking facilities; permits, beginning with funds authorized for fiscal year 1975, the Secretary to approve as a project on the urban system the purchase of buses, and beginning with funds authorized for fiscal year 1976 for the urban system, to approve projects for the construction, reconstruction, and improvement of fixed rail facilities including the purchase of rolling stock for fixed rail; provides that not more than $200 million of urban system funds for fiscal year 1975 shall be expended for the Federal share for the purchase of buses;

Increases the Federal share payable on account of any non-Interstate project from 50 to 70 percent with respect to all obligations incurred after June 30, 1973;

Provides that urban system funds apportioned to a State that are attributable to urbanized areas of 200,000 population or more shall be made available for expenditure in the State in accordance with a formula developed by the State and approved by the Secretary, and in the event a formula has not been developed and approved for a State, to be allocated among such urbanized areas within the State in the ratio the population of such urbanized area bears to the population of all such urbanized areas or parts thereof within that State;

Authorizes the Secretary to promulgate noise level standards for the control of highway noise levels for Federal-aid projects approved prior to July 1, 1972; provides that buses must meet Environmental Protection Agency standards under the Clean Air Act and the Noise Control Act of 1972, and, wherever practicable, the equipment must meet special criteria for low-emission products; requires that the planning and design of mass transportation facilities must be such as to meet special needs of the elderly and handicapped;

Authorizes under title II, entitled the Highway Safety Act of 1973, $100 million for fiscal year 1974, $125 million for 1975, and $150 million for 1976, from the Highway Trust Fund, for highway safety programs to be carried out by the National Highway Traffic Safety Administration, $42.5 million for fiscal year 1974, $55 million for 1975, and $65 million for 1976, for highway safety research and development to be carried out by the Administration, and $25 million for 1974, $30 million for 1975, and $35 million for 1976 for highway safety programs to be carried out by the Federal Highway Administration;

Authorizes programs for the elimination of hazards at rail highway crossings, the elimination or reduction of high hazard locations on highways and the elimination of roadside obstacles; provides for various studies concerned with safety; requires curb ramps for the handicapped for curbs constructed or replaced at all pedestrian crosswalks after July 1, 1976;

Increases, in Title III, the Federal share of capital grants under the Urban Mass Transportation Act of 1964, as amended, to 80 percent, and increases from $3.1 billion to $6.1 billion contract authority under the Act;

And contains other provisions. S. 502. Public Law 93-87, approved August 13, 1973. (40, 351)

FEDERAL RAILROAD SAFETY ACT AUTHORIZATION, 1973

Authorizes appropriations of $19,440,000 for implementation of the railroad safety functions and $1,200,000 for implementation of the hazardous materials control functions of the act for fiscal year 1974. S. 2120. Public Law 93-90, approved August 14, 1973. (VV)

HIGHWAY SAFETY ACT

Authorizes $455 million for fiscal year 1974 and $475 million for fiscal year 1975 for highway safety programs, including $100 million for each of fiscal years 1974 and 1975 for the bridge replacement program; establishes a Federal-aid safer roads system, and authorizes $200 million of the total amounts authorized for each of fiscal years 1974 and 1975, to be available on a 90 percent Federal, 10 percent State matching basis, for the correction of highway hazards on that system; requires States to identify, by June 30, 1974, projects on the Federal-aid safer roads system which have to be corrected and assign priority to the correction of hazards falling within the following three major categories: (1) projects to improve highway marking and signing, (2) elimination of roadside obstacles, and (3) elimination of hazards at railroad-highway grade crossings; includes bicycle safety in the areas to be covered by highway safety standards and adds bicycle safety to required driver education programs; authorizes the use of appropriated funds for State highway safety programs for use in developing and implementing manpower training and demonstration programs; increases the minimum apportionment to any State for highway safety programs from one-third of one percent to one-half of one percent; authorizes the Secretary to carry out research on the relationship between the consumption of drugs and highway safety and to promulgate a highway safety program standard on drug use and highway safety; and contains other provisions. S. 893. P/S April 12, 1973. (VV) (Similar provisions are contained in the Federal-Aid Highway Act which became Public Law 93-87).

INTERIM APPORTIONMENT OF INTERSTATE AND OTHER HIGHWAY FUNDS

Directs the Secretary of Transportation to apportion, as provided in the act, $1 billion of the sums authorized to be apportioned for fiscal year 1974 for immediate expenditure for the National System of Interstate and Defense highways, and authorizes the appropriation of $500 million from the Highway Trust Fund for fiscal year 1974 funding of the Federal-aid primary and secondary systems and their urban extensions, such funds to be available as follows: 45 percent for projects on the primary system; 30 percent for projects on the secondary system and 25 percent for projects on extensions of the primary and secondary systems in urban areas. S. 1808. Public Law 93-61, approved July 6, 1973. (VV)

INTERSTATE APPORTIONMENT

Directs the Secretary of Transportation to apportion out of the Highway Trust Fund, $1 billion of the funds authorized for fiscal year 1974 for expenditure on the Interstate and Defense Highway systems. S. Con. Res. 6. P/S March 6, 1973. (VV)

OCEAN TRANSPORTATION IN NONCONTIGUOUS STATES AND TERRITORIES

Amends section 607(k)(8) of the Merchant Marine Act, 1936, as amended, to expressly include within the definition of "noncontiguous trade" trade between two or more points within Alaska, Hawaii, Puerto Rico, or any other territory or possession of the United States for the purpose of insuring that vessels trading between points within such States and insular territories and possessions are eligible for assistance from capital construction funds (tax referred reserve funds) generated by the deposits made by eligible vessel operators under agreements with the Secretary of Commerce, and to make it clear that a vessel which has been built with such funds is legally permitted to between such points. S. 902. Public Law 93-116, approved October 1, 1973. (VV)

RAIL FREIGHT CAR SHORTAGE

In view of the current railroad transportation crisis caused by a freight car shortage and other factors, declares it to be the sense of the Senate that (1) the Commodity Credit Corporation should make available to farmers the option to reseal loans on farm-stored wheat and feed grains with respect to the 1971 and 1972 crops; and (2) the President is urged and requested to appoint a special committee to conduct a study of the railroad freight car shortage problem and to submit to the President and the Senate Committees on Agriculture and Forestry and Commerce, within thirty days after its appointment, a report along with its recommendations for the most effective and practical means of (A) delivering adequate quantities of wheat to millers and feed grains to farmers and stockmen in the United States dependent upon such grain for feeding their livestock, and (B) alleviating the backup at those ports where numerous ships and railroad cars are waiting to be loaded and unloaded. S. Res. 59. Senate adopted February 19, 1973. (15)

RAILROAD RETIREMENT ACT AND INTERSTATE COMMERCE ACT AMENDMENTS

Increases the tax which railroads are required to pay under the Railroad Retirement Act; provides for retirement eligibility for men at age 60 with 30 years of service; provides for an extension to December 31, 1974, of the temporary railroad retirement benefit increases presently scheduled to expire July 1, 1973; provides for a pass-through of social security benefit increases which might be enacted between July 1, 1973, and December 31, 1974; increases the taxes which railroads are required to pay under the Railroad Retirement Act; provides for the establishment of a labor management committee to recommend a restructuring of the railroad retirement system to insure its actuarial soundness with a final report and recommen-

dations to be submitted to the Congress by April 1, 1974; declares the intent of Congress to enact legislation in 1974, effective not later than January 1, 1975, which will assure the long-term actuarial soundness of the railroad retirement system; amends the Interstate Commerce Act to provide that the Interstate Commerce Commission shall, by informal rule-making under the Administrative Procedure Act, establish the requirements for petitions for adjustments of rates of common carriers occasioned by the tax increases prescribed in this act or by other law on or before January 1, 1975, and provides for expedited freight-rate making procedures applicable to interstate and intrastate rates; and contains other provisions. H.R. 7200. Public Law 93–69, approved July 10, 1973. (VV)

ROLLING STOCK UTILIZATION AND FINANCING ACT

Establishes an Obligation Guarantee Board in the Department of Transportation as an independent agency, and an Obligation Guarantee Fund to insure obligations incurred for the acquisition of rolling stock and equipment or facilities; provides for Federal efforts to improve utilization of freight cars and other rolling stock by means of a national rolling stock information system, development and quarterly publishing of an index measuring freight-car utilization, a study by the Secretary on the utilization of freight cars and means to improve such utilization, and action under existing authority to improve utilization; provides, in the event of failure to solve the shortage problem, for potential direct government action to attempt to do so; provides for a railroad equipment corporation to acquire rolling stock and to manage rolling stock as a pool; and contains other provisions. S. 1149. P/S July 23, 1973. (306)

SHIP CONSTRUCTION

Amends section 502(a) of the Merchant Marine Act, 1936, as amended, to extend from June 30, 1973, to June 30, 1976, the authority of the Secretary of Commerce to award subsidies for the construction of vessels on which the price has been established by negotiation between the prospective ship owner and the shipyard. H.R. 6187. Public Law 93–71, approved July 10, 1973. (VV)

TV BLACKOUT—PROFESSIONAL SPORTS

Provides that if any game of professional sports club is to be televised pursuant to a league television contract and all tickets for seats made available 120 hours (5 days) or more before the scheduled beginning time of the game have been purchased 72 hours (3 days) or more before such time, no agreement preventing the televising of such game at the same time and in the same area in which the game is being played would be valid; requires the Federal Communications Commission to conduct a continuing study of the effect of this act and to report, not later than April 15 of each year, the results of its study to the Committees of Commerce and Interstate and Foreign Commerce of the Senate and House respectively. S. 1914. Public Law 93–107, approved September 14, 1973. (369)

WEST COAST CORRIDOR FEASIBILITY STUDY ACT

Directs the Secretary of Transportation to make an investigation and study for the purpose of determining the social advisability, technical feasibility, and economic practicability of a high-speed ground transportation system between Tijuana, Mexico, and Vancouver, Canada, including the various means of providing such transportation, the cost, usage, environmental impact, and energy utilization and impact on energy resources; directs the Secretary to report the results of his study and investigation together with his recommendations to the Congress and the President no later than January 30, 1976, and submit an interim report to Congress on January 30, 1975; authorizes therefor an appropriation of not to exceed $8 million to carry out the provisions of this act; and contains other provisions. S. 1328. P/S July 11, 1973. (VV)

VETERANS: DRUG AND ALCOHOL TREATMENT AND REHABILITATION ACT

Provides for a fully-funded, comprehensive drug and alcohol treatment and rehabilitation program for addicted veterans regardless of service connection or the nature of their discharge; establishes a special medical treatment and rehabilitative services program for any veteran with a drug dependence or drug abuse disability, stressing highly individualized community-based, multimodality, in-house and contract services, including a wide range of vocational and educational counseling and rehabilitative services and job placement assistance; requires the Administrator to carry out a program of vocational rehabilitation for those Vietnam era veterans with addiction disabilities; broadens the eligibility for basic V.A. hospital care and medical services for service-connected disabilities; and contains other provisions. S. 284. P/S March 6, 1973. (31)

HEALTH CARE EXPANSION ACT

Improves the ability of the Veterans' Administration (VA) to deliver quality medical care to its beneficiaries by widening the scope of treatment (particularly for ambulatory and nursing care); expands coverage to certain dependents of beneficiaries or former beneficiaries; provides for a voluntary, comprehensive sickle cell anemia screening and counseling program; expands the primary function of the Veterans Administration Department of Medicine and Surgery to include assisting in providing an adequate supply of health care manpower; provides for a contract to be made with the National Academy of Sciences for a study of staffing with a view to improving the staff-to-patient ratio in V.A. medical facilities; ensures that V.A. facilities are structurally safe; and contains other provisions. NOTE: (H.R. 10880 [92d–2d], a similar measure, was pocket vetoed by President Nixon on October 27, 1972.) S. 59. Public Law 93–82, approved August 3, 1973. (29)

NATIONAL CEMETERIES ACT

Establishes within the Veterans' Administration (V.A.) a National Cemetery System consisting of those cemeteries presently under the jurisdiction of the V.A. and those to be transferred by September 1, 1973, to the V.A. from the Department of Army with the exception of certain specified cemeteries, including Arlington National Cemetery and those located at the service academies; directs the V.A. to conduct a comprehensive study and submit its recommendations on or before January 3, 1974, as to what our National Cemetery System and national burial policy should be; authorizes the Administrator of Veterans' Affairs to permit the flying of the American flag at cemeteries in the national cemetery system 24 hours a day; authorizes a special burial plot allowance of $150 (in addition to the present V.A. allowance for burial and funeral expenses of $250) in any case where a veteran is not buried in a national or other Federal cemetery; authorizes the burial of an unknown soldier from the Vietnam Conflict at Arlington National Cemetery; and contains other provisions. *Note:* (H.R. 12674 [92d–2d], a similar measure, was pocket vetoed by President Nixon on October 27, 1972.) S. 49. Public Law 93–43, approved June 18, 1973. (30)

VETERANS' ADMINISTRATION FLEXIBLE GI INTEREST RATE AUTHORITY

Restores the authority of the Administrator of the Veterans' Administration to set flexible interest rates on loans to veterans, which expired June 30, 1973; authorized the Administrator to consult with the Secretary of Housing and Urban Development in order to set flexible interest rates on guaranteed, insured, and direct loans in excess of 6 percent as he determines the current loan market demands; and establishes that, to the maximum extent practicable, the Administrator shall carry out a coordinated policy on interest rates and loans insured by the Federal Housing Administration and the Veterans' Administration. H.R. 8949. Public Law 93–75, approved July 26, 1973. (VV)

VETERANS' BENEFITS

Amends title 38 U.S.C., to increase the monthly rates of disability and death pensions and dependency and indemnity compensation and to increase income limitations relating thereto, and contains other provisions. H.R. 9474. P/H July 30, 1974; P/S amended August 2, 1973. (VV)

PRIORITY LEGISLATION, 1973

MEASURES POCKET VETOED IN 1972

Airport Development—Public Law 93–44.
National Cemeteries—Public Law 93–43.
Older Americans—Public Law 93–29.
Public Works-Economic Development—Public Law 93–46.
National Institute on Aging—Passed Senate 7–9–73.
Veterans Medical Care—Public Law 93–82.
Vocational Rehabilitation—Public Law 93–102.
Flood Control—Passed Senate 2–1–73.
Labor-HEW Appropriations—In conference.
Environmental Data Centers—Hearings held.
Mining Research Centers—Passed Senate as amendment to S. 425.
Deputy U.S. Marshals Pay—Pending in committee.

MEASURES WHICH DIED IN SENATE-HOUSE CONFERENCE IN 1972

Anti-Aircraft Hijacking—Passed Senate 2–21–73.
Highway Funds—Public Law 93–87.
Minimum Wage—Vetoed by President; sustained by House.
War Powers—Cleared for President.

MEASURES WHICH PASSED SENATE ONLY IN 1972

Fair Credit Billing—Passed Senate 7–23–73.
Land Use Policy—Passed Senate.
Health Maintenance Organizations—In conference.
Compensation for Victim of Crime—Passed Senate 4–3–73.
Consumer Product Warranties—Passed Senate 9–12–73.
Comprehensive Housing—Markup in progress.

MEASURES WHICH PASSED HOUSE ONLY IN 1972

Strip Mining Controls—Passed Senate 10–9–73.
Consumer Protection Agency—Hearings complete.

REPORTED TO SENATE IN 1972

No Fault Insurance—To be reported from Judiciary Cte by 2–15–74.
Pension Reform—Passed Senate and Senate conferees appointed.

LEGISLATION MENTIONED IN PRESIDENT'S SECOND STATE OF UNION MESSAGE

Trade Reform—House Committee reported H.R. 10710.
Export Administration Act H.R. 8547 P/H; Senate hearings complete.
Tax Reform (property tax relief for elderly) House hearings complete.
Stockpile Disposal—pending.
Financial Institutions Restructuring—not yet submitted.
Council on International Economic Policy—Public Law 93–121.
Alaskan Pipeline—In conference.
Deep Water Ports—Hearings in progress in both houses.
Gas Deregulation—Hearings in progress.
Strip Mining—Passed Senate 10–9–73.
Department of Energy & Natural Resources—Hearings complete in both.
Power Plant Siting—Pending in Senate committee; House held hearings.

Santa Barbara Energy Reserve—Hearings scheduled.
Land Use Planning—Passed Senate.
Toxic Substances Control—In Conference.
Safe Drinking Water—Passed Senate.
Housing—Markup in progress.
Better Schools—Hearings were held.
School Busing—No action.
Welfare Reform—No action.
Manpower Revenue Sharing—Passed Senate.
Job Security Assistance—No action by House which acts first.
Vocational Rehabilitation—Public Law 93–112.
Minimum Wage—Vetoed; House sustained.
Pension Reform—H.R. 4200 to go to conference.
Health Maintenance Organization—In Conference.
Legal Services Corporation—Markup in progress.
Indian bills (6)—Senate has passed S. 1341, S. 1016 & S. 721.
Veterans Benefits—Has passed both houses.
Consumer Protection Agency—Hearings held in both Houses.
ACTION—Public Law 93–113.
Better Communities—Markup in progress.
FHA Mortgage Insurance Extension—Public Law 93–117.
Transportation Improvement Act—Not yet submitted.
Disaster Preparedness & Assistance—H.R. 8449 P/H; Senate hearings held.
Flood Insurance—Hearings held.
D.C. Home Rule—Has passed both Houses.
Criminal Code Reform—Hearings held.
Heroin Trafficking—Hearings completed on separate bill.
Capital Punishment—Hearings held.
Federal Election Reform Commission—Passed Senate.
American Revolution Bicentennial Administration—Has passed both Houses.
Metric Conversion—Ordered Reported; in House markup.
President's Reorganization Authority—No action.
National Arts & Humanities Foundation—Cleared for President.

Mr. HUGH SCOTT. Mr. President, will the Senator yield?

Mr. MANSFIELD. Yes, indeed.

Mr. HUGH SCOTT. Mr. President, I just want to say to the distinguished majority leader that I appreciate what he said. I have asked that those who are helping me prepare it have a minority report ready sometime early in November. I would think it would be salted with brisk cooperation and peppered with some areas of amiable dissent.

My regard for my friend on the other side is in every way as high as it always has been and I very much appreciate the opportunity to work with him and to cooperate with him.

QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask that the distinguished Senator from Alabama (Mr. ALLEN) be recognized.

The PRESIDENT pro tempore. The Senator from Alabama is recognized.

ALABAMA'S HISTORIC FORT MORGAN

Mr. ALLEN. Mr. President, one of the most fascinating—as well as one of the most tragic—periods of American history is that of the War Between the States. Too often major battle sites of the conflict are almost overwhelmed by visitors while other less known but equally important battle sites are neglected. One of these latter sites is Fort Morgan on the east side of the mouth of Alabama's Mobile Bay. On the west side is Fort Gaines which is located on Dauphin Island. During the Battle of Mobile Bay, when the northern fleet under Adm. David Farragut stormed its way past the guns of Fort Morgan and Fort Gaines, the Union's ironclad warship *Tecumseh* was sunk. Although set back by the loss of the pride of his fleet, Admiral Farragut is reported to have signaled, "Damn the torpedoes, full speed ahead," a slogan which remains even today as a byword of the U.S. Navy.

Efforts are now underway to have Fort Morgan restored not only as a tourist attraction, but also as a memorial to the heroic men of North and South who fought so gallantly on that sultry day in August 1864.

The Birmingham News, in its issue of Sunday, October 7, 1973, published an article written by Frank Sikora, one of the paper's outstanding reporters, telling the story of Fort Morgan and the Battle of Mobile Bay.

Mr. President, I believe that restoration of Fort Morgan is a worthy effort, and that the story, entitled "Quandary Lingers Over Ironclad; Even Fort Morgan in State of Flux," will be of widespread interest. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Birmingham News, Oct. 7, 1973]

QUANDARY LINGERS OVER IRONCLAD; EVEN FORT MORGAN IN STATE OF FLUX

(By Frank Sikora)

FORT MORGAN.—If Abraham Lincoln could have known all the trouble it was going to cause, he might never have ordered Adm. David Farragut to attack Mobile Bay.

Now, nearly 110 years after that famed battle, people are still in a quandary about who has the rights to the Yankee ironclad Tecumseh, that lies in 30 feet of water.

And even the land surrounding Fort Morgan has been a state of flux.

The Baldwin County Commission has paid $35,000 for 428 acres—including four miles of sparkling white beach.

For decades, a private firm has owned the property encircling the old Confederate bastion.

Baldwin County Commission Chairman Clarence Bishop says the county will now offer it to the state of Alabama for the same price.

"This fort holds great tourism potential," he says, "and we in Baldwin County would like to see it utilized."

UNDEVELOPED BUT BEAUTIFUL BEACHES

Fort Morgan has for years been a point of historical interest—which isn't quite the same as a tourist attraction.

There are no restaurants, no swank motels, and the beaches have been undeveloped. Baldwin County would like to see this changed.

Bishop wants to see development, but he doesn't want the natural features of the area tarnished.

Located 20 miles to the west of Gulf Shores, the fort sits on the end of a narrow stretch of sand jutting into Mobile Bay; the bay waters lie to the north, the Gulf of Mexico is on the south.

Another lure of the area is the Tecumseh, which was sunk in the early moments of the battle, after striking a mine.

She went down in 60 seconds, taking 100 souls with her; for years men searched the exact spot, hoping to find a treasure aboard (the payroll for the fleet).

Then, when it was located early in 1967, a flurry of activity surfaced with Alabama and the federal government fighting "the second battle of Mobile Bay."

The Smithsonian Institution spent $50,000 in exploring the sand and silt resting place 1,000 yards north of the fort, in 30 feet of water. The sand was cleared away, and divers placed a steel plate over the four-foot rent made by the mine explosion.

But with that, the effort apparently died. Tecumseh still lies upside down, and sand and silt have once again covered her up.

SHE'S STILL A MYSTERY

Jimmy Miller of Fort Morgan, one of the divers who worked on the hull, says the ship is still intact, remarkably preserved.

A spokesman for Smithsonian says the effort is not dead, however. Years of planning are required, including methods of preservations. "When we bring it up," he said, "we want to make sure we're doing it the right way, because once you start, you can't stop and reconsider."

The 1967 dive brought back the ship's anchor as well as partial remains of one of the crew; the skeletal remains of the others are thought to be still inside, and the U.S. Navy wants them for burial.

THE ATTACK: A POLITICAL MOVE

When Farragut stormed into the bay on that morning of Aug. 5, 1864, it was—some historians believe—more of a political move than a military one.

It was an election year in the North, and Lincoln was facing a determined peace movement; his Democratic opponent, Gen. George McClellan, was charging the President was losing the war.

The Yankees were not winning in Virginia, and Lincoln's campaign strategists looked frantically for a victory that could be heralded as an example to blunt McClellan's charges.

Lincoln eyed Mobile Bay; the attack came Aug. 5, right when election fever was gripping the North. Mobile was the only remaining Confederate port.

Tecumseh's job was to lead about 25 wooden frigates into the bay between the Confederate bastions at Fort Gaines on Dauphin Island and Fort Morgan, on the east.

It must have been unnerving for the Yankee sailors to see the 225-foot Tecumseh—the ironclad pride of the fleet—suddenly topple in the water, then disappear.

That's when Farragut cried, "Damn the torpedoes, full speed ahead!"

RICH IN BEAUTY, HISTORY

After a daylong battle, the Union fleet controlled the bay; Fort Gaines fell in quick order, but Fort Morgan resisted for 18 days.

But on that first day word was sent that a great victory had been achieved, and some historians feel it was one of the best campaign issues Lincoln could present to the electorate.

Fort Morgan's story—and Tecumseh's—are rich in history, and are enhanced by the natural beauty of the area.

Baldwin County officials believe that tak-

ing advantage of those points is long overdue.

Mr. ALLEN. Mr. President, I might state parenthetically that this ironclad warship that was sunk in Mobile Bay has been located and there is some controversy as to who owns it, the Smithsonian Institution claiming it belongs to the U.S. Government while the finders and discoverers of the ship seem to feel it belongs to them. That is a matter that will be straightened out in time.

THE LONG FEDERAL HAND

Mr. ALLEN. Mr. President, on June 21, 1973, the Senate passed S. 268, the so-called land use bill. Similar legislation is now in the House Interior and Insular Affairs Committee.

I was not a supporter of this legislation in the Senate and was 1 of the 21 who voted against the bill because, for one reason, I believe that it represents further encroachment by the Federal Government in affairs best handled by local governments.

An editorial in the Thursday, September 20, 1973, issue of the Opelika-Auburn News, one of Alabama's finest and most quoted daily newspapers, gets to the heart of the effort to expand Federal powers in this area. The editorial, "The Long Federal Hand," is a strong indictment of land-use proposals.

In its September 29, 1973, issue of the highly regarded Christian Science Monitor published an article written by Curtis J. Sitomer entitled "How Much Longer Will United States Let You Own Land?"

These articles represent what I believe to be the predominant view of Americans on the issue of property rights.

Mr. President, I ask unanimous consent that the editorial and article be printed in the RECORD.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Opelika-Auburn (Ala.) Daily News, Sept. 20, 1973]

THE LONG FEDERAL HAND

Local governments in the United States of America began assuming planning and zoning powers late in the 19th Century. In the interests of seeing their towns and cities develop in an orderly way, property owners by and large have accepted this intrusion into their traditional rights to use a piece of land for whatever purpose they chose. We are reaching a point, however, where land use controls are spinning a web around property rights in a way that surely would have appalled our grandfathers.

City and county governments are yielding to pressure to surrender their planning and zoning powers to regional bodies. Many states, California among them, have placed the control of development of at least part of their land in the hands of state agencies. Predictably, the federal government is next. Legislation is moving through the 93rd Congress that will make the question of what happens to the vacant lot at the end of our block an issue of national policy.

The proposed Land Use Policy and Planning Assistance Act, which has bipartisan support, has the innocent outlines of a progressive piece of environmental legislation, with the customary price tag of federal funds. It would distribute $100 million a year to state governments to encourage them to adopt statewide land use policies and see that they are enforced. With that kind of impetus for distant, centralized planning and zoning authority, the historic local responsibility in the field appears doomed, not to mention what might remain of the rights of the individual property owner.

This might be the time for citizens to draw back and consider how far they want to go in creating government agencies to hold sway over the use of land. What exactly is the deed to a piece of property going to mean when there is an environmental policeman on every corner, possibly in a federal uniform? The question is as much a philosophic one as a political one.

The environmentalists argue that land can no longer be considered as only a commodity to be bought, sold and used freely within the framework of a community plan. It must be "managed" in the public interest, the way we manage our water and mineral resources to conserve them and assure they will serve the public good. Granted that pell-mell growth and development can be ruinous, are the American people and their local governments really so irresponsible that they must conjure up a presumably wiser Big Brother to decide how they will use their land?

Our towns and cities are already bowing to the dictates of the state and federal governments to clean up their air and water. Those environmental problems are considered too big and too serious—too "regional"—to be left to local action. At the rate we're going, the day will come when we have to apply to Congress for building permits.

[From the Christian Science Monitor, Sept. 29, 1973]

HOW MUCH LONGER WILL UNITED STATES LET YOU OWN LAND?

(By Curtis J. Sitomer)

LOS ANGELES.—A man's home is his castle—so goes the time-honored principle. But today in the U.S., public demand, legislative action, and the courts seem to be chipping away at it.

Both the federal government and at least a score of states are reassessing traditional ideas of land ownership and use. And they appear to be moving away from the pioneer concept that land is a "commodity," which the owner can do with as he pleases.

Instead many now see land as a "diminishing resource," which must be preserved and protected, even at the risk of private property rights.

Nationally Congress may be close to passing land-use policy legislation. Several bills are in the hopper. But insiders see one (S–268) sponsored by U.S. Sen. Henry M. Jackson (D) of Washington with the best chance of mustering bipartisan support. It just missed becoming law last year. This legislation would mandate the 50 states to regulate certain lands. It particularly focuses on areas of environmental concern and those that have regional significance, such as airports, industrial parks, and major subdivisions.

SWEEPING REGULATIONS

The bill also would authorize the federal government to distribute grants of more than $1 billion to the states over an eight-year period for development of statewide zoning programs that would have to conform to various federal guidelines.

Additionally a half-dozen states have so far adopted sweeping land-use planning regulations. A score of others have slapped on regional restraints, particularly along shorelines. Others are studying plans for broad land regulation.

In California, for example, a bill under discussion, and proposed by Assemblyman Paul Priolo (R) of Los Angeles, would set up a state land-use commission to oversee and approve development in urban areas.

"The measure attempts to provide certain perimeters for the future. And it would end development at a helterskelter rate," says Mr. Priolo. "As of now the state has left local government without guidance. Freeway planning, massive water-redistributing planning, among other things, aren't coordinated. And this lack of coordination puts a premium on the speculator's market the state lawmaker declares.

COURT ACTION POSSIBLE

A statewide planning agency, similar to the one proposed for California, is already in operation in Florida. Here recommendations are made to the governor. If appoved, court action can be taken to force compliance with state guidelines, if necessary.

But according to Florida law, only 5 percent of that state's total land area is subject to the agency's "critical concern" jurisdiction.

Despite federal and state moves toward land-use control, opposition to this type of governmental interference is strong.

Builders, developers, realtors, and others are challenging state requirements for environmental impact reports and strict limits on commercial expansion along the coastlines in many states. Also, federal guidelines, designed to curb smog in Los Angeles and in other urban areas subject to heavy air pollution, are being bucked by commercial interests.

"The present laws such as the Clean Air Act are ambiguous, inadequate, almost impossible to enforce, and probably unconstitutional, maintains Harry Newman, Jr., chairman of the California Business Properties Association and past president of the International Council of Shopping Centers.

"To all intents and purposes the regulations promulgated by the EPA (Environmental Protection Agency) constitute federal land-use control and zoning," Mr. Newman says.

Almost certainly, along with continued moves toward federal and state land-use controls, will be more court tests raising the issue of constitutional rights of property owners. Among other things the courts will need to spell out what is just compensation to those whose property rights are abridged by government when judged in conflict with the public interest.

DAMAGING BLOW

On the constitutional issue Rep. Steven D. Symms (R) of Idaho sees the Jackson bill as a threat to individual property rights. "This land-use bill is the result of collectivist thinking which threatens to destroy our right to private property," he says. "This $1.06 billion . . . bill could prove to be the most damaging blow ever dealt to the American concept of private land ownership."

Representative Symms charges that the Jackson bill has a provision that would require federal supervision to ensure that state planning conforms to the U.S. guidelines. "Another provision," says Representative Symms, "requires each state to have a planning agency wtih authority to carry out the will of the federal government. There is also a requirement that the states regulate land sales."

William D. Ruckelshaus, recently EPA administrator and now Deputy Attorney General of the U.S., is a strong advocate of a federal land-use act.

Addressing a symposium on this subject recently sponsored by the Victor Gruem Foundation for Environmental Planning, Mr. Ruckelshaus urged a "rethinking" of property rights.

"Society must contemplate whether the land is strictly private property or whether it is a resource to be carefully conserved and controlled," he said. "We should rethink narrow concepts of property rights which may be outworn in our dynamic and highly mobile society."

NOMINATION OF THE HONORABLE GERALD R. FORD TO BE VICE PRESIDENT

Mr. GRIFFIN. Mr. President, the State of Michigan is bursting with pride this morning following the announcement last night that Congressman GERALD FORD has been named to be the next Vice President of the United States.

For the junior Senator from Michigan this is particularly happy news. I have known JERRY FORD for about 20 years, and he has been one of my very closest friends throughout my service in the Congress.

I could speak at great length about the qualifications, the character, the strengths and the leadership abilities of this great American because I know him so well. I shall not do so at least at this time. But I would like to commend the President of the United States for making a nomination that is particularly appropriate and right at this time in a very difficult period of our history. The nomination of JERRY FORD will do a great deal to bring us together again at a time when we desperately need a sense and spirit of unification.

This nomination will help greatly to heal some of the divisions that have developed and grown too wide as between the executive and legislative branches of Government. It will do much to restore confidence in government at this time in our history when that is sorely needed.

JERRY FORD'S record of service and performance is an open book. He has served so long and so ably, and his qualifications are so well known by so many people that it is difficult to think of anyone else who could and should be more quickly confirmed. I am confident that both Houses will respond by registering approval with dispatch.

Mr. President, I ask that a biographical sketch by Congressman FORD be printed at this point.

There being no objection, the biography will be printed in the RECORD, as follows:

REPRESENTATIVE GERALD R. FORD, OF MICHIGAN

Known to his friends as "Jerry," Congressman Ford was born July 14, 1913, at Omaha, Nebraska, but spent his childhood in Grand Rapids, Michigan.

CONGRESSIONAL SERVICE

In November 1972 he was re-elected to his thirteenth consecutive term as a Member of Congress, having served since January 3, 1949.

Chosen Minority Leader of the House of Representatives at the opening of the 89th Congress January 4, 1965. He served as a member of the Republican Leadership in Congress since January, 1963; was chairman of the Republican Conference of the House during the 88th Congress (1963–64) and has been a member of the House Republican Policy Committee for over nine years.

During his first term, was named to the House Public Works Committee. In 1951, was assigned to the Appropriations Committee where he served on the Army Civil Functions Subcommittee and the Emergency Agency Subcommittee. During the 83rd and 84th Congresses, was a member of the Subcommittees on Foreign Operations and the Department of Defense and was on the Army Panel, serving as Panel chairman in the 83rd Congress. During the 85th Congress, was appointed to the Select Committee on Astronautics and Space Exploration. Remained a member of both the Defense and Foreign Operations Subcommittees of the House Appropriations Committee throughout the 85th, 86th, 87th and 88th Congresses. Was senior Republican on the Defense Subcommittee before becoming Minority Leader.

Has maintained an attendance record of over 90% throughout his 24-year tenure.

EDUCATION

Was graduated from the former South High School in Grand Rapids. Later earned a B.A. degree in 1935 from the University of Michigan where he was a member of Michigamua, top senior honor. Received his law degree from Yale University Law School in 1941. Admitted to the Michigan State Bar (1941) and has been admitted to practice before the United States Supreme Court.

In 1965, was awarded the honorary degree of Doctor of Laws by Michigan State University and Albion, Aquinas and Spring Arbor Colleges; in 1968 by Buena Vista and Grove City Colleges; in 1972 by Belmont Abbey (N.C.) College; and in 1973 by Aquinas College and Western Michigan University. Received a Doctor of Public Administration degree from American International College in 1968.

SPORTS

Won all-city and all-state football honors in Grand Rapids during high school. While earning three varsity letters, was a member of the University of Michigan's undefeated national championship teams of 1932 and 1933, and was named Michigan's most valuable player in 1934 playing center.

On New Year's Day, 1935, participated in the Shrine East-West Crippled Children's benefit classic in San Francisco. That August, played in the All-Star game against the Bears in Chicago. While a Yale law student, was assistant varsity football coach

In 1959, was selected by "Sports Illustrated" to receive its Silver Anniversary All-American Award as one of the 25 football players in the preceding quarter century who had contributed most to their fellow citizens.

In 1972, was awarded the National Football Foundation's gold medal for close association with the game.

MILITARY SERVICE

In 1942, entered the U.S. Navy, serving 47 months on active duty during World War II. Participated in 3rd and 5th Fleet carrier operations aboard the aircraft carrier U.S.S. Monterey (CVL–26) for two years. Following shore duty with the Naval Aviation Training Program, was released to inactive duty with rank of Lieutenant Commander in January, 1946.

POST WW II CIVILIAN LIFE

Returning to Grand Rapids, resumed law practice. Received the Grand Rapids JayCees Distinguished Service Award in 1948 for work in various community projects. The following year was named one of "America's Ten Outstanding Young Men" by the U.S. Junior Chamber of Commerce, receiving its Distinguished Service Award.

FAMILY

On October 15, 1948, married Elizabeth Bloomer of Grand Rapids. The Fords have four children: Michael Gerald (born March 15, 1950); John Gardner (March 16, 1952); Steven Meigs (May 19, 1956); and Susan Elizabeth (July 6, 1957.)

Congressman Ford is a member of Grace Episcopal Church, Grand Rapids. He maintains active membership in the American Legion, Veterans of Foreign Wars and AMVETS and is a 33rd Degree Mason.

FURTHER HONORS

In November, 1963, was named by President Lyndon Johnson to the Warren Commission. Author (with John R. Stiles) of the book, "Portrait of the Assassin" (1965).

Served as permanent chairman of the 1968 and 1972 Republican National Conventions. Since becoming Minority House Leader, has delivered some 200 speeches annually throughout the country.

Visited The People's Republic of China in late June and early July 1972 on behalf of the President.

Lauded as a "Congressman's Congressman" by the American Political Science Association when it conferred on him its Distinguished Congressional Service Award in 1961. Was presented the George Washington Award by the American Good Government Society in May 1966.

Chosen by the American Academy of Achievement to receive the Golden Plate Award as one of fifty "giants of accomplishment," presented during the Academy's 10th annual Salute to Excellence in June, 1971.

Selected to receive the AMVETS Silver Helmet Award, that group's highest recognition of Congressional service, at ceremonies in Washington in April, 1971.

ELECTIONS

In the 1948 primary, Gerald Ford defeated the incumbent and went on to win his first term that November as Representative of Michigan's Fifth Congressional District. The district was then composed of Kent and Ottawa Counties. Due to reapportionment, which became effective with the 1964 election (for the following term), Ottawa was replaced by Ionia County. Another reapportionment slightly altered the district beginning with the 1972 election.

In the 1972 election, Ford received the highest vote total of any candidate in the area comprising the Fifth Congressional District.

5TH DISTRICT CONGRESSIONAL ELECTION RESULTS

Election year	Ford	Opponents	Ford majority	Winning percentage
1948 (Kent/Ottawa)	74,191	48,422	27,219	60.5
1950	72,165	36,303	27,932	66.7
1952	109,807	55,910	54,660	66.2
1954	81,702	47,453	34,249	63.3
1956	120,349	58,899	61,450	67.1
1958	88,157	50,203	37,954	63.7
1960	131,461	65,233	66,228	66.8
1962	109,746	54,044	55,702	67.0
1964 (Kent/Ionia)	101,810	64,488	37,322	61.2
1966	92,794	42,700	50,094	68.5
1968	105,085	62,219	42,866	62.8
1970	88,208	55,337	32,871	61.4
1972	131,174	81,573	49,601	61.7

Mr. RANDOLPH. Mr. President, will the able minority leader yield?

Mr. GRIFFIN. I yield.

Mr. RANDOLPH. Mr. President, in 1947, 1 year before JERRY FORD was elected to the U.S. House of Representatives from the Grand Rapids, Mich., district, it was my privilege to address the junior chamber of commerce in that city on the occasion of its "Young Man of the Year Award" dinner. The young man honored that night is the present minority leader of the House of Representatives, whose nomination has been sent to the Congress for consideration, and, I believe, approval for the Vice Presidency of the United States.

I had embraced the opportunity to have studied, prior to my remarks on that occasion, the record of JERRY FORD, and I recall that I said "he might go to the White House." Eight Vice Presidents have become Presidents. And, of course, last night, when I had the pleasant opportunity of greeting him after the President's announcement, he did recall what I had said, and he named the year in which it was spoken. Of course, it was just a little touch of yesteryear which I reflect in the discussion here today.

I do believe the Senate will, as has

been indicated by many of the Members of this body, act earnestly, proceed carefully but, hopefully, in an expeditious manner, to approve the nomination of this very fine American, this seasoned legislator, this capable and courageous public servant, who will bring to the position a commitment of high purpose. I believe further service is possible for him, thinking always of the cooperation which we need so much in this country, not only between the executive and legislative branches, but the understanding of the American people as a whole.

We can be a country of unity without uniformity. There are, of course, reasons for differences between individuals in this body and policies within parties. There is the opportunity to take these differences which exist and have become our very strengths because of the counsel that we have one with the other, and between convictions that are held.

I shall support the President's nomination and it should be done as quickly as possible. The Senate selection approval process will move, as I have said, thoroughly but expeditiously as well.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, SPACE SCIENCE, VETERANS, APPROPRIATIONS, 1974—CONFERENCE REPORT

Mr. PROXMIRE. Mr President, I submit a report of the committee of conference on H.R. 8825, and ask for its immediate consideration.

The PRESIDENT pro tempore. The report will be stated by title.

The legislative clerk read as follows:

The committee of conference of the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8825) making appropriations for the Department of Housing and Urban Development; for space science, veterans and other independent agencies, boards, commissions, and corporations for the fiscal year ending June 30, 1974, and for other purposes having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all the conferees.

The PRESIDENT pro tempore. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

(The conference report is printed in the House proceedings of the CONGRESSIONAL RECORD of October 10, 1973, at pages 33596–33597.)

Mr. PROXMIRE. Mr. President, the pending conference report is in effect a supplemental conference report, supplementing the first conference report—House report 93–411—on the HUD, Space Science and Veterans appropriations bill that was adopted by the House on August 1 and by the Senate on September 7.

After the August recess when the Senate considered the initial conference report on September 7, I moved on the Senate floor that the Senate insist on its amendment Nos. 44 and 45, and following my motion, Senator BROOKE made a motion that the Senate recede from these amendments. A roll call vote was first taken on Senator BROOKE's motion, and his motion was defeated by a vote of 58 to 30.

Following this vote, there was a vote taken on my motion that the Senate insist on its amendments, and my motion was approved by the Senate by a vote of 83 to 4. The Senate then insisted on a further conference with the House, and 3 weeks later, on September 24, the House appointed conferees.

The conferees met on the afternoon of October 10, and we found ourselves in the identical position that each of us had on July 26, when we could not get agreement on amendments Nos. 44 and 45. The House conferees were still adamant and wished to have the Senate amendment restricting the use of Government vehicles deleted from the bill. The House conferees argued that the fringe benefit of chauffeured sedans and limousines was necessary in order to attract qualified individuals to take important Government posts.

The House insisted that the Senate recede and offered to include in the conference report, in the statement on the part of the managers, reasons for the surrender by the Senate. As chairman of the conference and as the author of the amendment that was in contention, I could not agree to receding, especially in view of the overwhelming Senate vote of 83 to 4 insisting that the amendment be retained in the bill.

In the spirit of compromise, I offered the House conferees the opportunity to amend the Senate provision to provide that Secretary Lynn of the Department of Housing and Urban Development be permitted to have the use of his vehicle for transportation from his dwelling place to his place of employment, but that use of vehicles for lesser agency heads would be restricted. However, the House was not in any mood to accept any compromise, and during the course of the meeting of October 10, it became evident to me that if we were going to get the HUD, Space, Science, Veterans appropriation bill on to the Senate, it was going to be necessary for the Senate to recede. Consequently, the report before us indicates that the Senate has receded on amendment No. 44.

Mr. President, the limousine situation is outrageous. In the hearings on this bill we developed the facts one by one, agency by agency. Here is what we found.

First, the situation is out of hand. The big cars—limousines, heavy sedans, and medium sedans—are used by everyone and their brother. They are not limited to the President, a handful of leaders of Congress, and the Cabinet officers. Every agency has at least one and many of them have two, three, four, or more.

In this bill, HUD has five. The VA, who told us originally they had only one, in fact have two. Both the head of NASA and his deputy ride around in one.

Second, the cost of chauffeurs is appalling. We found that when overtime is included, the average annual salary for the chauffeur or driver was between $14,000 and $17,000 a year.

Third, these limousines are more important to the heads of the agencies, in many cases, than the substance of their programs. At HUD, for example, there has been a moratorium on 15 major housing and community programs since last January. They have killed new starts for public housing, for moderate-income housing, and now, due to the high interest rates, for middle- and even upper-income families. But they insist on having their limousines—not only for the Secretary, but for the Under Secretary and the Assistant Secretaries as well. It is like that old line from Gilbert and Sullivan—

They have them for their sisters and their brothers and their aunts.

At HUD these cost at least $85,000 a year. And that is too low because the full costs of the cars are not calculated because they are leased and the costs are not fully shown.

That money alone would provide 120 units of section 235 or section 236 housing for a family for an entire year. Yet those programs have been frozen and one of them killed by the administration.

There is where the priorities are—on limousines and chauffeurs while the housing programs for the overwhelming majority of families in this country have been abandoned.

The lobbying for their limousines took priority over their programs.

Fourth, their use in many circumstances appears to me to be entirely illegal. In almost all cases these cars are used to drive the bureaucrats to and from home.

But title 31, section 638a of the United States Code states in clear and precise language that cars can be used only for official purposes and that official purposes does not include transportation to and from an official's home.

Except for the President, doctors on outpatient duty, and officials who must live and work dozens of miles from their offices—such as forest rangers—the only exception to this are cabinet officers as such. That is provided for in title 5, section 101 and the language is clear, precise, and without ambiguity.

Yet, when we asked the head of one agency how he justified using his car to drive him home he claimed that living in Potomac or McLean really meant that he was on "field service."

We found that the chauffeur of another high official, whose annual salary was in the $15,000 range, had been paid for 60 hours of overtime when his principal was away from Washington on business.

If Congress acted like the executive agencies, every Member of the House and Senate would have a chauffeur-driven limousine. In addition, a limousine and chauffeur would be provided for their administrative assistants and the chief of staff and minority staff head of every committee.

This situation has gone too far.

But basically it is unseemly in a democracy. We are asking the average family which earns about $11,000 a year to cough up their hard-earned tax dollars to provide a limousine and chauffeur at a cost of at least $20,000 a year, to hundreds of bureaucrats earning four times as much as the average family. That is wrong.

We have a budget problem. We have a fuel shortage. We have a crisis of credibility in our Government. The ordinary

people of this country believe there is a double standard for big shots in the Government—in their salaries, their prerequisites, and in the treatment they receive when they get in trouble.

I think it is time we put a stop to this one abuse.

Rather than accept some minor, piddling, do-nothing language, I believe it is better to fight on. And I serve notice that it is my intention to do all in my power to rid the Government of these abuses not only for agencies under this bill but for the Government as a whole.

And the answer is not, as some have suggested, that we let every head of every agency have a chauffeured limousine. That is the practice now and is excessive and abused and outrageous.

Also in the pending conference report, Mr. President, the conferees made an adjustment in the limitation on the land and structures account of the Federal Communications Commission. In the bill that passed both the House and Senate earlier this year the limitation was fixed at $125,000. In amendment No. 45 the committee has increased this limitation to $425,000, or $300,000 more than the amount initially made available for land and structures.

This increase was necessary so that the FCC could proceed with the awarding of a contract for the construction of a new laboratory in Laurel, Md., which would permit them to perform the sensitive-type approval tests required before devise which have high-interference characteristics such as microwave ovens, electronic garage door controls, medical devices, ships' radars, and so forth, are marketed.

In the fiscal 1973 budget the Congress authorized $600,000 for the construction of this laboratory and permitted these funds to be carried over until fiscal 1974 in the 1973 Appropriations Act. The FCC, in the meantime, has received five firm bids on the laboratory project ranging from $857,000 to $986,318, which bids, needless to say, are significantly higher than the limitation authorized by the Congress for this purpose, thus necessitating the action taken by the conferees on amendment No. 45, which has been reported in technical disagreement to the House.

Mr. GRIFFIN. Mr. President, I ask unanimous consent to have printed in the RECORD a statement on the conference report by the distinguished Senator from North Dakota.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT BY SENATOR YOUNG

I am pleased that the disagreement between the Senate and House on the previously passed HUD, Space, Science, Veterans Appropriations Conference Report has been resolved. I made a statement on the floor on this important appropriations bill on September 7 when the Conference Report was passed and so I shall not comment on the contents of the bill at this time.

I am confident that the Senate Appropriations Ad Hoc Subcommittee on Vehicle Use will do a thorough job in studying vehicle use Government-wide and report back to the Committee on Appropriations early in the next session.

Mr. PROXMIRE. Mr. President, I move the adoption of the conference report.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Wisconsin.

The motion was agreed to.

The PRESIDENT pro tempore. The clerk will state the amendment in disagreement.

The legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 45, to the aforesaid bill, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: "405. Notwithstanding any other provision of this Act, not to exceed $425,000 of the amount herein made available for the Federal Communications Commission may be used for land and structures.

In lieu of the matter proposed by said amendment, insert:

"405. Notwithstanding any other provision of this Act, not to exceed $425,000 of the amount herein made available for the Federal Communications Commission may be used for land and structures.

"SEC. 406."

Mr. PROXMIRE. Mr. President, I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 45.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wisconsin.

The motion was agreed to.

TRIBUTE TO REPRESENTATIVE GERALD R. FORD, NOMINEE FOR VICE PRESIDENT OF THE UNITED STATES

Mr. PROXMIRE. Mr. President, I would like to join with the others in speaking briefly on the man whom the President designated as his choice for Vice President of the United States.

I think I have known JERRY FORD longer than any other Member of the Senate. I do not mean that I have known him better than anyone else. However, I have known him longer. I have known him for nearly 40 years. I first met him in 1934 at Yale University when he was a first year student at the law school. He was then a coach for the freshman boxing team, of which I was a member. He was also a coach during my sophomore and junior year of the Yale junior varsity football team. And I was a member of that team too. So I have known JERRY FORD for four decades.

In many ways he is the same kind of man now that he was then. I think that the adjectives I could best apply to him are solid and square.

He is not a man of imagination or humor. However, he is a man that the country may be looking for. As I have known him he has always appeared to be a man of integrity and character. In spite of his present disclaimers, he may be the most likely Republican nominee for President in 1976. If he is nominated he could be a tough, strong candidate. Why? Because he has the kind of wholesome sincerity, the kind of loyal consistency that many voters may be looking for. He has the qualities that the people in the country will like and support in 1976.

Of course, I think he has been consistently wrong on almost every issue. But that is my viewpoint. And even if his political philosophy may not be popular in 1976, he may come on like a tiger because of what the public perceives of his straightforward, reliable, direct character.

I want to pay tribute to JERRY FORD because I have known him for so long and have liked him so well. I wish him success in the post of Vice President. He should be thoroughly and meticulously investigated by the Rules Committee. If he is so investigated, and if no significant adverse information is developed on him I will support him.

SPECIAL PAYMENTS TO INTERNATIONAL FINANCIAL INSTITUTIONS

Mr. McCLELLAN. Mr. President, I ask unanimous consent for the immediate consideration of House Joint Resolution 748.

The PRESIDENT pro tempore. The clerk will report the joint resolution by title.

The legislative clerk read as follows:

Calendar No. 429, a joint resolution (H.J. Res. 748) making an appropriation for special payments to international financial institutions for the fiscal year 1974, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request of the Senator from Arkansas? The Chair hears none, and it is so ordered.

The Senate proceeded to consider the joint resolution.

Mr. McCLELLAN. Mr. President, House Joint Resolution 748, as reported by the Senate Appropriations Committee, appropriates $2,203,000,000 to maintain the value of past and certain future U.S. contributions to the International Monetary Fund and the international development banks.

The committee held hearings on this item last March 19, shortly after the Par Value Modification Act passed the Senate. However, the authorization bill became bogged down in conference and was not finally enacted until September 21.

As a member of these institutions the United States agreed to maintain the value of its payments and contributions as measured by a common yardstick—in this case, gold; and there appears little, if anything, that can be done about appropriation of these amounts at this juncture.

The Senate Committee concurred with House action which reduced the original budget estimate of $2,250,000,000 by $47,000,000. This reduction is attributable to a $25,000,000 over-estimate in maintenance of value obligations for the International Monetary Fund and $22,000,000 brought forward from this 1972 maintenance of value appropriation as having been in excess of the amount needed for those payments.

Slightly over $100,000,000 is appropriated to maintain the value of some $833,-

000,000 authorized but yet to be appropriated to these international institutions, but as can be seen from Under Secretary of the Treasury Volcker's statement reprinted in the middle of page 4 of the Senate Committee report—

It is clear that maintenance of value payments will not be made on those subscriptions until the subscriptions have been appropriated and payment is made.

As will be noted, the appropriation is for an amount "not to exceed $2,203,000,000" with the entire amount to remain available until expended.

It is true that this total appropriation is in the amount of $2,203,000,000. The Department of the Treasury, however, has testified that its effect on outlays in fiscal year 1974 will be only $12 million and that this amount will be absorbed within current estimates and, therefore, not affect the ceiling on outlays. It is expected that total outlays will be $477,000,000 over the next 13 years. The remainder of the appropriation relates to certain assets of the International Monetary Fund and the callable capital of the international banks, both items described to the committee as highly contingent with little likelihood that they will have any effect on the budget.

Mr. President, I ask unanimous consent that a table reflecting estimated budgetary outlays for the fiscal year 1973 and fiscal year 1974 maintenance of value appropriations be printed in the RECORD following my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. McCLELLAN. Mr. President, the committee strongly felt that there was inadequate congressional consultation prior to the original devaluation announcement on February 12, 1973—which for all intents and purposes triggered the reduced value of the dollar in the international market. Therefore, the following language was added to the report:

During the course of its hearings the Committee was startled to learn that the Executive Branch of the Government proceeded to announce the devaluation of the dollar with only the most casual and summary notification to less than half dozen individual members of Congress. The fact that even this was done within hours of the announcement and after consultation with every major economic nation of the world makes this action even more appalling.

The committee directs that the majority leader and the minority leader of the Senate and the chairmen and ranking minority members of the Senate Appropriations Committee and the Committee on Banking, Housing and Urban Affairs be consulted no less than 48 hours in advance of any future action likely to affect the par value of the dollar in the international marketplace.

Mr. President, under the prevailing circumstances, I see no alternative except for Congress to take this action, and on behalf of the committee, there being no alternative, I recommend that the Senate act favorably on House Joint Resolution 748.

EXHIBIT 1

ANNEX C

ESTIMATED BUDGETARY OUTLAYS FOR MAINTENANCE OF VALUE

[Fiscal years; in millions of dollars]

	1972	1973	1974	*1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	Total
1972 devaluation:																
IDA			4	8	8	9	9	16	16	16	17	17				120
IBRD		0.12	.94								8	12	12	9	8	50.06
IDB (ord. cap.)			2	2	2	2	2	2	2	2	5	5	5	5	5	41
IDB (FSO)			12	12	12	12	12	12	12	12	7	6				109
ADB		4.30	4.30													8.60
Total (1972)		4.42	23.24	22	22	23	23	30	30	30	37	40	17	14	13	328.66
1973 devaluation:																
IDA				4	14	14	14	14	20	20	20	20	21			161
IBRD				1.3							10	16	15	15	14	71.30
IDB (ord. cap.)					3	3	3	3	3	3	9	9	10	9	9	64
IDB (FSO)				18	18	18	18	18	18	18	10	11	11	11		169
ADB			12													12
Total (1973)			12	23.3	35	35	35	35	41	41	49	56	57	35	23	477.30
Total (1972 and 1973)		4.42	35.24	45.3	57	58	58	65	71	71	86	96	74	49	36	895.96

Note: The above figures represent estimated budgetary outlays arising from payments to the international development lending institutions in fulfillment of U.S. maintenance of value obligations relating to the paid-in capital of these institutions. With minor exceptions, payment has been made or will be made by letters of credit. Budgetary expenditures only arise as these letters of credit are drawn down. Drawdowns are made by each institution as the need arises for cash funds to pay for goods and services furnished to borrowers of these institutions. It is anticipated that drawdowns relating to maintenance of value obligations on IBRD and IDB dollar loans outstanding at the time of change in par value of the dollar will be spread out over the period of repayment of these loans, i.e., through fiscal 1986. With regard to IDA, funds relating to maintenance of value obligations on 1st, 2d and 3d replenishments, respectively, will only be drawn down after other funds from the particular replenishment have been exhausted.

Mr. HARRY F. BYRD, JR. Mr. President, the pending joint resolution provides for payments by the United States to maintain the value in terms of gold of the holdings of various international financial institutions.

These international financial institutions which will benefit from this appropriation are the International Monetary Fund, the International Bank for Reconstruction and Development, the Inter-American Development Bank, the International Development Association, and the Asian Development Bank.

Mr. President, what this legislation does is this: The U.S. Government has appropriated, over a period of years, billions of dollars to these international financial institutions. It was done for the purpose of helping other countries. The United States receives nothing in return. The taxpayers of the United States have been very generous with these international financial institutions; the Congress has appropriated vast sums of money.

When the American dollar was devalued—and it was devalued twice in a 14-month period—that meant that the dollars previously given to these international financial institutions were less valuable.

So what happens?

These financial institutions, to which the U.S. Government has voluntarily made huge contributions, come back to the U.S. Government and say, "Since your currency is worth less now than when you gave it to us, we want you to make up the difference in value."

The legislation before us calls for an appropriation of $2.2 billion to take care of the second devaluation of the American dollar. Previously, in May of 1972, just a little over a year ago, Congress appropriated $1.6 billion to take care of the first devaluation of the American dollar. So in a short period of time, from May of 1972 to October of 1973, Congress will have appropriated $3.8 billion, almost $4 billion, to the international financial institutions for one purpose, and that is to make up the difference in the value of the dollar as a result of the devaluation of the American dollar.

We know, Mr. President, that the value of the American dollar has deteriorated. The worker's dollar is worth less, but we do not reimburse the American workingman and woman because the dollar has been devaluated.

I recognize the situation facing Congress and the Appropriations Committee. The agreements made by our Government with the international financial institutions provide for making up out of U.S. tax funds any lessening in the value of the American dollar. So, in a sense, Congress is in an awkward position.

But I want the RECORD to show that the senior Senator from Virginia is voting in opposition to this measure as a protest. I cast my vote in opposition to this joint resolution as a protest to the way tax funds are being handled by our Government.

When we consider the fact of the huge appropriations that we have made to

these international financial institutions to help other countries, and then consider the fact that they are not satisfied with that, they are not satisfied with the billions and billions of dollars we have already given them, that they come back to us and say, "Now your currency is worth less, so you must make up the difference in value on the money you have already given to us." I think it is time that we revise our thinking in regard to our participation in these financial institutions.

We are the chief supplier of moneys to these various banks, the International Bank for Reconstruction and Development, the Inter-American Development Bank, the International Development Association, and the Asian Development Bank. We have poured out billions of dollars, and now we come along and are being forced into an additional appropriation, as called for by this joint resolution, of $2.2 billion.

As I mentioned before, I recognize the difficulties facing the Senate and the Congress because of prior agreements that have been made. But as a protest, and in the hope that perhaps by protesting we may help to correct in the future some unwise agreements, I ask that the RECORD show that the senior Senator from Virginia will vote "no" in this $2.2 billion appropriation.

Mr. ALLEN. Mr. President, I associate myself with the remarks of the distinguished Senator from Virginia, and ask that the RECORD show that the Senator from Alabama likewise votes "no" on this joint resolution.

The PRESIDING OFFICER (Mr. BENNETT). The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the joint resolution.

The joint resolution (H.J. Res. 748) was ordered to a third reading, read the third time, and passed.

Mr. McCLELLAN. I move to reconsider the vote by which the joint resolution was passed.

Mr. PASTORE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. RANDOLPH (for himself, Mr. STAFFORD, Mr. WILLIAMS, Mr. KENNEDY, Mr. TAFT, Mr. HATHAWAY, and Mr. PELL):

S. 2581. A bill to amend the Randolph-Sheppard Act for the Blind to provide for a strengthening of the program authorized thereunder, and for other purposes. Referred to the Committee on Labor and Public Welfare.

By Mr. MATHIAS (for himself and Mr. EAGLETON):

S. 2582. A bill to establish a District of Columbia Development Bank to mobilize the capital and the expertise of the private community to provide for an organized approach to the problems of economic development in the District of Columbia. Referred to the Committee on the District of Columbia.

By Mr. ABOUREZK (for himself, Mr. McGOVERN, and Mr. HATHAWAY):

S. 2583. A bill to provide housing for persons in rural areas of the United States on an emergency basis and to amend title V of the Housing Act of 1949. Referred to the Committee on Banking, Housing and Urban Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. RANDOLPH (for himself, Mr. STAFFORD, Mr. WILLIAMS, Mr. KENNEDY, Mr. TAFT, Mr. HATHAWAY, and Mr. PELL):

S. 2581. A bill to amend the Randolph-Sheppard Act for the Blind to provide for a strengthening of the program authorized thereunder, and for other purposes. Referred to the Committee on Labor and Public Welfare.

STRENGTHENING THE RANDOLPH-SHEPPARD ACT FOR THE BLIND

Mr. RANDOLPH. Mr. President, as chairman of the Subcommittee on the Handicapped and on behalf of Senator STAFFORD, Senator WILLIAMS, Senator KENNEDY, Senator TAFT, Senator HATHAWAY, and Senator PELL, all members of the Subcommittee on the Handicapped, I am today introducing, for appropriate reference, S. 2581, the "Randolph-Sheppard Act Amendments of 1973".

BACKGROUND

The measure I introduce today is the latest legislative step in a process which began more than 4 years ago, on June 20, 1969, with the introduction of S. 2461. That bill was known as the "Randolph-Sheppard Act for the Blind Amendments of 1969", and was a measure cosponsored by 51 Senators.

Mr. President, S. 2461, a measure very similar to the one I introduce today, was introduced 33 years to the day after the enactment of the original Randolph-Sheppard Act, which I was privileged to author, with Senator Morris Sheppard, while a Member of the House of Representatives. Hearings were held on that measure in June, November, and December of 1970, and the Senate adopted it without a dissenting vote. The House did not act on the measure before adjournment of the 91st Congress.

On September 14, 1971, I introduced S. 2506, the "Randolph-Sheppard Act for the Blind Amendments of 1971." Hearings were held on that measure in September, October, and December of 1971. The provisions, again very similar to those in the bill I am introducing, were included as a title in the Senate's Rehabilitation Act of 1972. Unfortunately, when that measure was brought to conference, the House conferees indicated that the Randolph-Sheppard provisions would be subject to a point of order in the House because of its germaneness rule. The provisions were dropped from the conference report, with the explicit understanding of the need for action.

The conference report (H. Rept. No. 92-1581) states:

The conferees stress that exclusion of title VII (the Randolph-Sheppard Act Amendments) is not due to any lack of concern for, or disregard of the need for, strong and forward-looking amendments to the Randolph-Sheppard Act. The conferees expect that both committees will consider these matters in depth after the 93rd Congress convenes.

In the aftermath of hearings on S. 2506 by the Subcommittee on the Handicapped, a resolution was sent to the Comptroller General of the United States, directing that he conduct a study of the sources and uses of vending machine income on Federal property. That study was released by the General Accounting Office on September 27, 1973. The bill introduced today is, in part, the result of our review of the GAO study.

NEED FOR LEGISLATION

Mr. President, it was my belief in 1969 that amendments were needed to protect blind vendors and improve the Randolph-Sheppard program. Today, more than 37 years after the enactment of the original measure, I am more convinced that action is urgently needed. We must prevent erosion of the program and erosion of blind vendors' income, and improve and expand opportunities for meaningful employment of blind individuals. This legislation, S. 2581, will provide this urgently needed action.

At the end of the 1972 fiscal year there were 3,583 licensed blind vendors operating stands across the Nation. According to the Rehabilitation Services Administration, this number could be doubled within 5 years if the proper conditions exist and if training limitations and the onerous restraints of undue competition are lifted.

According to the 10-year old testimony of a representative from the Vocational Rehabilitation Administration, there were in 1962 at least 40,000 blind persons who could be trained to successfully operate vending stand businesses. This statistic underscores the need for expansion of job opportunities for our blind citizens. Even that high figure may be out of date by now. There are some 6,000 young blind people in high schools today who will be graduating in the next 3 years. In addition, there are at least 500 Vietnam veterans who were blinded during their service in the Armed Forces.

Mr. President, either job opportunities must be provided for these willing citizens, or they will be subjected to the compulsion of accepting welfare payments. As I have said many times, blind individuals want a helping hand, not a handout.

At the end of fiscal year 1972 there were 878 blind vending stands on Federal property—3 fewer than at the beginning of the fiscal year. Increases in the total number of vendors and stands resulted from active State, local, and private industry placement of blind vendors, not from action by the Federal Government.

With all of the defense installations in the country, Mr. President, it is interesting, if not appalling, to note that the Defense Department provided only four blind stands at the end of fiscal year 1972. That is a 25 percent improvement over the previous year, when there were three stands on DOD property. The Air Force had 9 stands, the Army 17, and the Navy 16.

The blind vendors have met with obstacles each torturous step of the way. They find a General Services Admin-

istration which proposes regulations to reduce the kinds of articles they can sell in Government buildings. They find competition from Federal employee welfare and recreation associations which operate their own vending machines. They find military post commanders who are unwilling to consider blind vendor sites at their installations. They find the implementation of an Executive order which results in the placement of a minority business enterprise in competition with a blind vendor on the same Federal property. They even find, Mr. President, if reports are true—and this is difficult to conceive—that an employee association at a major Federal space installation demanded that blind vendors give 10 percent of their profits to the employee association.

Other incidents and situations have been recounted, but it becomes absolutely clear that major abuses are being perpetrated against the blind, and these abuses must cease.

MAJOR PROVISIONS OF S. 2581, SECTION 2

Section 2 of the bill sets forth the findings of Congress. These are, essentially, determinations that the Randolph-Sheppard program has not developed as it should have, due to a number of inhibiting external forces; that legislative and administrative obstacles can and should be removed; and that such removal will involve the establishment of uniformity of treatment for blind vendors, guidelines for the operation of the program, coordination among agencies, improved administrative and judicial procedures, priority for blind vendors on Federal property, and stronger administration and oversight functions.

SECTION 3

The third section of S. 2581 amends the first section of the act by creating a priority for blind vendors, with regulations designed to assure such priority, including assignment of vending machine income pursuant to section 7, and establishment of one or more vending facilities on all Federal property where feasible. Any limitation on such establishment due to adverse effect on the interests of the United States is to be narrowly construed and fully explained. The General Accounting Office found that many kinds of incursions had limited the existing statutory preference for blind vendors. This provision is essential to the health of the program.

SECTION 4

Section 4 amends section 2 of the bill: first, to require the Secretary to insure that the Rehabilitation Services Administration is the principal agency for carrying out the act, to require the Commissioner to establish uniform standards for accounting procedures, policies on new vending facility selection, income distribution, and use of set-aside funds; second, to eliminate the age requirement for vendors; third, to expand the scope of items to be sold by vendors; fourth, to make certain technical changes; and fifth, to require satisfactory sites for vending facilities in all federally controlled buildings after June 30, 1974.

The GAO report found a wide disparity among State agencies in their operation of the Randolph-Sheppard program. Quantity and quality of services vary. Thus, the need to establish minimum standards is obvious.

SECTION 5

Section 5 makes a number of technical changes to section 3 of the act, requires State agencies to agree to submit grievances of blind licensees to arbitration, and provides for retirement, sick leave, and vacation benefits for blind vendors where a majority of vendors agree to such use of set-aside funds.

SECTION 7

Under section 7, four new sections of the act are created. New sections 5 and 6 of the act set forth procedures for the impaneling of arbitration boards to resolve grievances of blind licensees or State licensing agencies in the operation or administration of the program. Decisions of the panel may be appealed to a Federal district court.

New section 7 of the act provides for the assignment of all vending machine income obtained on Federal property to blind licensees, and to State agencies for training and set-aside fund purposes. Income from vending machines which are owned or leased by any person, group, or association on September 1, 1973, shall not be subject to this provision for 3 years, or until the expiration of the lease or remaining depreciable life, whichever is less. Owners or lessors of any machines for which contracts expire or depreciable life remains after the 3-year period, shall be compensated for the fair market value thereof by the Secretary of the Treasury. The section applies only to vending machines on Federal property which is a workplace or office.

New section 8 requires the Commissioner of the Rehabilitation Services Administration to insure through regulations, that good training programs are provided under this act, and under the 1973 Rehabilitation Act, and that State agencies provide upward-mobility services for additional training in new careers, and follow-along services.

SECTION 8

This section amends the definitions section of the act to give more specific meaning to the term "blind person," to bring the section into conformity with the amendments made by this act, to expand the definition of vending facility, and to define vending machine income.

SECTION 9

The final section of the bill directs the Secretary of Health, Education, and Welfare to assign 10 full-time personnel—including five supportive personnel—to carry out the act. Title 5 of the United States Code, section 5108(c) is also amended to authorize one additional "supergrade" position to help carry out the act. The section also requires that special consideration be given to blind individuals in hiring for such positions.

Mr. President, the Randolph-Sheppard program is small. The blind citizens of this Nation are not a militant, demanding group. They are sensitive human beings who only want a chance to prove themselves and live lives of quiet dignity. There are stronger, more numerous forces that will oppose any consideration of the needs of the blind for jobs, a reasonable income, a modicum of security and independence. It is my fervent hope that this Congress will take the right and the moral action—and enact legislation which will strengthen the program and give more blind people their independence.

I invite colleagues to join in sponsorship of this necessary legislation.

Mr. President, I ask unanimous consent that S. 2581, the Randolph-Sheppard Act Amendments of 1973, be printed at this point in the RECORD, together with an explanation of the provisions of the measure. I also ask that the report of the Comptroller General of the United States, entitled "Review of Vending Operations on Federally Controlled Property" (B–176886), and the appendixes to that report, be printed in the RECORD.

There being no objection, the bill and material were ordered to be printed in the RECORD, as follows:

S. 2581

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Randolph-Sheppard Act Amendments of 1973".

FINDINGS

SEC. 2. The Congress finds—

(1) after review of the operation of the blind vending stand program authorized under the Randolph-Sheppard Act of June 20, 1936, that the program has not developed, and has not been sustained, in the manner and spirit in which the Congress intended at the time of its enactment, and that, in fact, the growth of the program has been inhibited by a number of external forces;

(2) that the potential exists for doubling the number of blind operators on Federal and other property under the Randolph-Sheppard program within the next five years, provided the obstacles to growth are removed, that legislative and administrative means exist to remove such obstacles, and that Congress should adopt legislation to that end; and

(3) that at a minimum the following actions must be taken to insure the continued vitality and expansion of the Randolph-Sheppard program—

(A) establish uniformity of treatment of blind vendors by all Federal departments, agencies, and instrumentalities,

(B) establish guidelines for the operation of the program by State licensing agencies,

(C) require coordination among the several entities with responsibility for the program,

(D) establish a priority for vending facilities operated by bind vendors on Federal property,

(E) establish administrative and judicial procedures under which fair treatment of blind vendors, State licensing agencies, and the Federal Government is assured,

(F) require stronger administration and oversight functions in the Federal office carrying out the programs, and

(G) accomplish other legislative and administrative objectives which will permit the Randolph-Sheppard program to flourish.

OPERATION OF VENDING FACILITIES ON FEDERAL PROPERTY

SEC. 3. The first section of the Act entitled "An Act to authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind, and for other purposes" (hereafter referred to in this Act as the "Randolph-Sheppard Act") approved June 20, 1936, as amended (20 U.S.C. 107), is amended by

striking out all after the enacting clause and inserting in lieu thereof the following:

"That (a) for the purposes of providing blind persons with remunerative employment, enlarging the economic opportunities of the blind, and stimulating the blind to greater efforts in striving to make themselves self-supporting, blind persons licensed under the provisions of this Act shall be authorized to operate vending facilities on any Federal property.

"(b) In authorizing the operation of vending facilities on Federal property, priority shall be given to blind persons licensed by a State agency as provided in this Act; and the Secretary, through the Commissioner, shall, after consultation with the General Services Administrator and other heads of departments, agencies, or instrumentalities of the Federal Government in control of the maintenance, operation, and protection of Federal property, prescribe regulations designed to assure that—

"(1) the priority under this paragraph is given to such licensed blind persons (including assignment of vending machine income pursuant to section 7 of this Act to achieve and protect such priority), and

"(2) wherever feasible, one or more vending facilities are established on all Federal property, to the extent that any such facility or facilities would not adversely affect the interests of the United States.

Any limitation on the placement or operation of a vending facility based on a finding that such placement would adversely affect the interests of the United States shall be fully justified in writing to the Secretary, who shall determine whether such limitation is justified. The Secretary shall publish such determination, along with supporting documentation, in the Federal Register."

FEDERAL AND STATE RESPONSIBILITIES

SEC. 4. (a)(1) Section 2 (a) of the Randolps-Sheppard Act is amended by redesignating paragraphs (1) through (5) as paragraphs (2) through (6), respectively, and by inserting the following new paragraph (1):

"(1) Insure that the Rehabilitation Services Administration is the principal agency for carrying out this Act; and the Commissioner shall, within 180 days after enactment of the Randolph-Sheppard Amendments of 1973, establish requirements for the uniform application of this Act by each State agency designated under paragraph (5) of this subsection, including appropriate accounting procedures, policies on the selection and establishment of new vending facilities, distribution of income to blind vendors, and the use and control of set-aside funds under section 3 (3) of this Act;".

(2) Section 2 (a)(2) of such Act, as redesignated by paragraph (1) of this subsection, is amended to read as follows:

"(2) Through the Commissioner, make annual surveys of concession vending opportunities for blind persons on Federal and other property in the United States, particularly with respect to Federal property under the control of the Department of Defense and the United States Postal Service;".

(3) Section 2 (a)(5) of such Act, as redesignated by paragraph (1) of this subsection, is amended—

(A) by striking out "commission" each place it appears and inserting in lieu thereof "agency",

(B) by striking out "at least twenty-one years of age",

(C) by striking out "articles dispensed automatically or in containers or wrapping in which they are placed before receipt by the vending stand, and such other articles as may be approved for each property by the department or agency in control of the maintenance, operation, and protection thereof and the State licensing agency in accordance with the regulations prescribed pursuant to the first section" and inserting in lieu thereof the following: "foods, beverages and other such articles or services dispensed automatically or manually and prepared on or off the premises in accordance with all applicable health laws, as determined by the State licensing agency",

(D) by striking out "stands" and "stand" and inserting in lieu thereof "facilities" and "facility", respectively, and

(E) by striking out the colon and all matter following the colon, and inserting in lieu thereof a semicolon. (b) Section 2 (b) of such Act is amended—

(1) by striking out "stand" where it appears in the first and second sentences and inserting in lieu thereof "facility";

(2) by striking out "and have resided for at least one year in the State in which such stand is located"; and

(3) by striking out "but are able, in spite of such infirmity, to operate such stands".

(c) Section 2 (c) of such Act is amended by striking out "stand" in both places in which it appears and inserting in lieu thereof "facility".

(d) Section 2 of such Act is further amended by adding at the end thereof the following new subsections:

"(d) (1) After June 30, 1974, no department, agency, or instrumentality of the United States shall own, rent, lease, or otherwise occupy, in whole or in part, any building unless, after consultation with the Secretary and the State licensing agency, it is determined by the Secretary that (A) such building includes a satisfactory site or sites for the location and operation of a vending facility by a blind person, or (B) if a building is to be constructed, substantially altered, or renovated for use by such department, agency, or instrumentality, the design for such construction, substantial alteration, or renovation, includes a satisfactory site or sites for the location and operation of a vending facility by a blind person.

"(2) The provisions of paragraph (1) shall not apply (A) when the Secretary and the State licensing agency determine that the number of people using the property is or will be insufficient to support a vending facility, or (B) to any privately owned building, any part of which is leased by any department, agency, or instrumentality of the United States and in which, (i) prior to the execution of such lease, the lessor or any of his tenants had in operation a restraurant or other food facility in a part of the building not included in such lease, and (ii) the operation of such a vending facility by a blind person would be in proximate and substantial direct competition with such restaurant or other food facility.

"(3) For the purposes of this subsection, the term 'satisfactory site' means an area determined by the Secretary to have sufficient space, electrical, and plumbing outlets, and such other facilities as the Secretary may by regulation prescribe, for the location and operation of a vending facility by a blind person.

"(e) In any State having an approved plan for vocational rehabilitation pursuant to the Vocational Rehabilitation Act or the Rehabilitation Act of 1973 (P.L. 93–112), the State licensing agency designated under paragraph (5) of subsection (a) of this section shall be the State agency designated under section 101(a)(1)(A) of such Rehabilitation Act of 1973."

DUTIES OF STATE LICENSING AGENCIES AND ARBITRATION

SEC. 5. (a) Section 3 of the Randolph-Sheppard Act is amended—

(1) by striking out "commission" and inserting in lieu thereof "agency";

(2) by striking out in paragraphs (2) and (3) "stand" and "stands" and inserting in lieu thereof "facility" and "facilities", respectively;

(3) by inserting in paragraph (6) immediately before the period the following: ", and to agree to submit the grievances of any blind licensee not otherwise resolved by such hearing to binding arbitration as provided in section 5 of this Act".

(b) Section 3(3) of such Act is further amended by striking out "and" immediately before subparagraph (D) and by inserting immediately before the colon at the end of such subparagraph the following: "; and (E) retirement or pension funds, health insurance contributions, and provision for paid sick leave and vacation time, if it is determined by a majority vote of operators licensed by such State agency that funds under this paragraph shall be set aside for such purposes".

REPEALS

SEC. 6. Sections 4 and 7 of the Randolph-Sheppard Act are repealed.

ARBITRATION; VENDING MACHINE INCOME; PERSONNEL; TRAINING

SEC. 7. The Randolph-Sheppard Act is further amended by redesignating sections 5, 6, and 8, as sections 4, 9, and 10, respectively, and by inserting immediately after section 4, as redesignated, the following new sections:

"SEC. 5. (a) Any blind licensee who is dissatisfied with any action arising from the operation or administration of the vending facility program may file a complaint with the Secretary who shall convene a panel to arbitrate the dispute pursuant to section 6 of this Act, and the decision of such panel shall be final and binding on the parties except as otherwise provided in this Act.

"(b) Whenever any State licensing agency, designated as such by the Secretary under this Act, determines that any department, agency, or instrumentality of the United States that has control of the maintenance, operation, and protection of Federal property is failing to comply with the provisions of this Act or any regulations issued thereunder such licensing agency may file a complaint with the Secretary who shall convene a panel to arbitrate the dispute pursuant to section 6 of this Act, and the decision of such panel shall be final and binding on the parties except as otherwise provided in this Act.

"SEC. 6. (a) Upon receipt of a complaint filed under section 5 of this Act, the Secretary shall convene an ad hoc arbitration panel as provided in subsection (b). Such panel shall, in accordance with the provisions of subchapter II of chapter 5 of title 5, United States Code, give notice, conduct a hearing, and render its decision which shall be subject to appeal and review as a final agency action for purposes of chapter 7 of such title 5.

"(b)(1) The arbitration panel convened by the Secretary to hear grievances of licensed blind persons shall be composed of three members appointed as follows:

"(A) one individual designated by the State licensing agency;

"(B) one individual designated by the licensed blind operators; and

"(C) one individual, who shall serve as Chairman, jointly designated by the members appointed under subparagraphs (A) and (B).

If any party fails to designate a member under subparagraph (A), (B), or (C), the Secretary shall designate such member on behalf of such party.

"(2) The arbitration panel convened by the Secretary to hear complaints filed by a State licensing agency shall be composed of three members appointed as follows:

"(A) one individual, designated by the State licensing agency;

"(B) one individual, designated by the head of the Federal department, agency, or instrumentality controlling the Federal property over which the dispute arose; and

"(C) one individual, who shall serve as Chairman, jointly designated by the members appointed under subparagraphs (A) and (B).

If any party fails to designate a member under paragraph (2)(A), (B), or (C), the Secretary shall designate such member on behalf of such party. If the panel appointed pursuant to paragraph (2) finds that the acts or practices of any such department, agency, or instrumentality are in violation of this Act, or any regulation issued thereunder, the head of any such department, agency, or instrumentality shall cause such acts or practices to be terminated promptly and shall take such other action as may be necessary to carry out the decision of the panel.

"(c) The decisions of a panel convened by the Secretary pursuant to this section shall be matters of public record and shall be published in the Federal Register.

"SEC. 7.(a) Except as otherwise provided in this section, all vending machine income obtained from the operation of vending machines on Federal property shall accrue (1) to the blind licensee operating a vending facility on such property, or (2) in the event there is no blind licensee operating such facility on such property, to the State agency in whose State the Federal property is located, for use, in accordance with regulations the Commissioner shall prescribe, in the training required under section 9 of this Act, and for the purposes specified in section 3(3) of this Act: *Provided, however,* That with respect to income which accrues under clause (1) of this subsection, the Commissioner may prescribe regulations imposing a ceiling on income from such vending machines for an individual blind licensee, and any surplus shall accrue pursuant to clause (2) of this subsection. This proviso shall not apply to income from vending machines which are maintained, serviced, or operated by a blind licensee.

"(b) Subsection (a) shall not apply, with respect to income from vending machines on Federal property, which machines were leased, or such income was provided, under contract to any person, group, or association on September 1, 1973, for a period of three years following the date of enactment of the Randolph-Sheppard Act Amendments of 1973, or the date of expiration of such contract, whichever period is shorter.

"(c) Subsection (a) shall not apply, with respect to income from vending machines on Federal property which machines were owned by any person, group, or association on September 1, 1973, for a period equal to the remaining depreciable life of such machines, or for a period of three years following the date of enactment of the Randolph-Sheppard Act Amendments of 1973, whichever period is shorter.

"(d) In the case of vending machines the depreciable life of which, or the contract with respect to the leasing or furnishing of income of which, expires after the three-year period set forth in subsections (b) and (c), the Secretary of the Treasury shall compensate the person, group, or association owning or contracting for such machines in an amount which reasonably represents the fair value of such depreciable life or contract; except that any such compensation shall be reduced by an amount, if any, equal to the proceeds from the sale, or premature termination of the contract, of such machines.

"(e) This section shall apply only with respect to vending machines on Federal property which is an office or workplace used to conduct Federal government business.

"(f) The Secretary shall take such action and promulgate such regulations as he deems necessary to assure compliance with this section.

"SEC. 8. The Commissioner shall insure, through promulgation of appropriate regulations, that uniform and effective training programs, including on-the-job training, are provided for blind individuals, through services under the Rehabilitation Act of 1973 (P.L. 93-112) or under this Act. He shall further insure that State agencies provide programs for upward mobility (including further education and additional training or retraining for improved work opportunities) for all trainees under this Act, and that follow-along services are provided to such trainees to assure that their maximum vocational potential is achieved.'

DEFINITIONS

SEC. 8. Section 9 of the Randolph-Sheppard Act, as redesignated by section 7 of this Act, is amended to read as follows:

"SEC. 10. As used in this Act—

"(1) 'Blind person' means a person whose central visual acuity does not exceed 20/200 in the better eye with correcting lenses or whose visual acuity, if better than 20/200, is accompanied by a limit to the field of vision in the better eye to such a degree that its widest diameter subtends an angle of no greater than 20 degrees. In determining whether an individual is blind, there shall be an examination by a physician skilled in diseases of the eye, or by an optometrist, whichever the individual shall select;

"(2) 'Commissioner' means the Commissioner of the Rehabilitation Services Administration;

"(3) 'Federal property' means any building, land, or other real property owned, leased, or occupied by any department, agency, or instrumentality of the United States (including the Department of Defense and the United States Postal Service), or any other instrumentality wholly owned by the United States or by any department or agency of the District of Columbia or any territory or possession of the United States;

"(4) 'Secretary' means the Secretary of Health, Education, and Welfare;

"(5) 'State' means a State, territory, possession, Puerto Rico, or the District of Columbia;

"(6) 'United States' includes the several States, territories, and possessions of the United States, and the District of Columbia;

"(7) 'Vending facility' means (A) automatic vending machines, snack bars, cart service, shelters, counters and such other appropriate auxiliary equipment as the Secretary may by regulation prescribe as being necessary for the sale of the articles or services described in section 2 (a) (5) of this Act, and which may be operated by blind licensees, and (B) a cafeteria if, upon a demonstration by the State licensing agency, the Secretary determines that the inclusion of such a facility is feasible and that there is a program of training and supervision of blind licensees that will assure the development of the skills needed to operate such a facility; and

"(8) 'Vending machine income' means that portion of the gross receipts from the operation of a vending machine on Federal property that normally accrues as a commission to the person operating, servicing, or maintaining a vending machine."

PERSONNEL

SEC. 9. (a) The Secretary of Health, Education, and Welfare is directed to assign to the Division of the Blind and Visually Handicapped of the Rehabilitation Services Administration of the Department of Health, Education, and Welfare ten additional full-time personnel (or their equivalent), five of whom shall be supportive personnel to carry out duties related to the administration of the Randolph-Sheppard Act.

(b) Section 5108 (c) of title 5, United States Code, is amended—

(1) by striking out "and" at the end of paragraph (10);

(2) by striking out the period at the end of paragraph (11) and inserting in lieu thereof "; and"; and

(3) by adding after paragraph (11) the following new paragraph:

"(12) the Secretary of Health, Education, and Welfare, subject to the standards and procedures prescribed by this chapter, may place one additional position in the Division of the Blind and Visually Handcapped of the Rehabilitation Services Administration in GS-16, GS-17, or GS-18."

(c) In selecting personnel to fill any position under this section, the Secretary of Health, Education, and Welfare shall give special consideration to blind individuals.

RANDOLPH-SHEPPARD ACT AMENDMENTS OF 1973 EXPLANATION OF PROVISIONS

SECTION 1. SHORT TITLE

"Randolph-Sheppard Act Amendments of 1973."

SECTION 2. FINDINGS

Posits a number of Congressional determinations, including (1) program has not developed as it should due to inhibiting forces, (2) potential exists for doubling blind operators in five years, provided obstacles are removed, and Congress should remove them, and (3) certain specific actions must be taken to insure vitality in the program, including uniform standards, coordination, guidelines, priority for blind vendors, stronger administration and oversight, and new procedures for dispute resolution.

SECTION 3. OPERATION OF VENDING FACILITIES

The first section of the Act is revised to give priority (rather than preference) to blind vendors on Federal property. The Secretary, through the Commissioner, is to prescribe regulations to protect this priority and to assure, where feasible, that one or more vending facilities is located on all Federal property if not "adverse to U.S. interests." This latter term is to be narrowly applied and fully justified in writing to the Secretary.

SECTION 4. FEDERAL AND STATE RESPONSIBILITIES

This section amends section 2 of the Act by (1) requiring the HEW Secretary to insure that RSA is the principal agency to carry out the Act, and the Commissioner is to establish uniform regulations for each State licensing agency, including accounting procedures, new vending facilities, income distribution, and set-aside fund control; (2) requiring the Secretary to make annual surveys, focusing on DOD and the Postal Service; (3) eliminating the age requirement for vendors, expanding articles and services to be sold, substituting "facility" for "stand", and eliminating references to the Vocational Rehabilitation Act; (4) requiring blind vending sites on all Federal property after June 30, 1974, with certain exceptions; and (5) adding a new subsection which conforms the Act to the new Rehabilitation Act.

SECTION 5. STATE AGENCIES AND ARBITRATION

This section amends section 3 of the Act by changing "stand" to "facility" wherever it appears, by requiring each State agency to agree to submit blind vendor grievances to arbitration, and by providing a means by which retirement, health insurance, sick leave, and vacation time may be funded through set-aside money after majority vote of the vendors in the State.

SECTION 6. SECTION REPEAL

This repeals sections 4 and 7 of the Act which authorizes the Secretary to cooperate with State Rehabilitation Boards under the Vocational Rehabilitation Act (section 4), and which outlines State agency procedures in conjunction with the Vocational Rehabilitation Act (section 7).

SECTION 7. ARBITRATION; VENDING MACHINE INCOME; PERSONNEL; TRAINING

This section redesignates sections 5, 6, and 8 of the Act as sections 4, 9, and 10, and creates four new sections (5, 6, 7, and 8) of the Act. Under the new sections 5 and 6, blind licensees and State agencies may secure

binding arbitration of their grievances, through an arbitration panel convened by the Secretary. Composition of such panels is established according to the identities of the parties. Arbitration decisions are binding on the parties and are final agency actions for judicial review purposes.

Under new section 7 of the Act, provision is made for assignment of income from all vending machines on Federal property to blind vendors and State licensing agencies. In the case of vending machines which are owned or under lease by any person, group or association on September 1, 1973, vending machine income shall not accrue to blind licensees and State agencies for the duration of the contract or remaining depreciable life, or for three years, whichever period is shorter. Where a lease or depreciable life extends beyond three years, the Secretary of the Treasury shall compensate the owner or contractee for the fair value of the lease or depreciable life.

New section 8 requires States to provide effective training programs and upward mobility programs for trainees under the Act to assure that their maximum vocational potential is achieved.

SECTION 8. DEFINITIONS

This section revises the definition section of the Act by providing a more precise definition of "blind person", by adding "Commissioner" (of RSA), by specifically including property under control of DOD and the Postal Service as "Federal property", by adding Puerto Rico as a "State", by defining "vending facility" to expand the scope of vendor operation authority, and by adding "vending machine income" as commission proceeds from machines on Federal property.

SECTION 9. PERSONNEL

This section directs the Secretary of HEW to assign to the RSA ten full-time personnel, including five supportive personnel, to carry out the Act. The section also amends 5 U.S.C. 5108(c) to add one "supergade" position for the Division, and requires special consideration be given to blind individuals in filling any position under the section.

(Review of Vending Operations on Federally Controlled Property—Department of Health, Education, and Welfare, General Services Administration, Department of Defense, and Postal Service)

REPORT TO THE SUBCOMMITTEE ON THE HANDICAPPED, COMMITTEE ON LABOR AND PUBLIC WELFARE, U.S. SENATE

(By the Comptroller General of the United States)

SEPTEMBER 27, 1973.

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C.

Hon. JENNINGS RANDOLPH,
Chairman, Subcommittee on the Handicapped, Committee on Labor and Public Welfare, U.S. Senate.

DEAR MR. CHAIRMAN: This is our report on our review of vending operations on federally controlled property.

Our review was made pursuant to your request of August 9, 1972, and subsequent discussions with your office. As agreed upon with your office, we have not requested the Federal and State agencies involved to provide us written comments on the report.

We plan no further distribution of this report unless you agree or publicly announce its contents.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

DIGEST

Why the review was made

Pursuant to a Subcommittee resolution, the Chairman, Subcommittee on the Handicapped, Senate Committee on Labor and Public Welfare, requested GAO to review vending operations on federally controlled property.

As agreed with the Subcommittee, GAO obtained operating data on vending operations at federally controlled locations and determined whether blind persons were receiving preference in operating vending stands at such locations as required by law. GAO observed the potential for expanding blind-vendor operations at the locations visited and reviewed State and Federal administration of the blind-vendor program authorized by the Randolph-Sheppard Act.

At the request of the Subcommittee, GAO did not request written comments on the matters discussed in this report from the Federal or State organizations included in its review.

Background

The Randolph-Sheppard Act was enacted in 1936 to give preference to blind persons, whenever feasible, for operating vending stands on federally controlled property.

The Rehabilitation Services Administration, an agency of the Department of Health, Education, and Welfare (HEW), is responsible for administering the blind-vendor program. U.S. agencies determine where and when blind-vendor operations can be established on Federal property they control.

State licensing agencies designated by HEW administer the blind-vendor program on federally controlled property in the 50 States.

Over the last 20 years—

The number of blind-vendor stands on Federal and non-Federal property has increased from 1,543 to 3,229,

Gross sales have risen from $20.6 million to $109.8 million, and

Average annual net earnings have grown from $2,209 to $6,996 for each stand.

In 1972, 3,583 blind persons were in the program; HEW estimated that 7,000 could be in the program by 1980.

Findings and conclusions

State agency operations

There are market differences in how the program is carried out from State to State. The quality and quantity of services provided to blind persons participating vary.

Seven State agencies GAO reviewed reported numerous contacts and surveys to locate sites for new or improved vending operations, which resulted in an additional 61 blind-vendor stands established during 1972 on Federal and non-Federal property. The net increase, however, was 27, since 34 blind-vendor stands were closed.

Each of these States trains blind persons selected to become vendors and persons already operating vending stands, but the types and duration of training vary.

In fiscal year 1972, 6 of the States reviewed reported 121 persons had completed operator training; the other State did not maintain such information.

Inconsistencies existed in methods used to determine how income from competing vending operations will be shared with blind vendors, resulting in significant differences in the amounts assigned to the blind. In many instances no income-sharing arrangements were made.

States are allowed to set aside portions of the revenue from vending operations for use in various purposes to support the program. States' policies vary as to—

The method used to determine how much each operator must contribute to the fund,

How the fund is used to assist operators, and

Some States use the set-aside fund as the

Whether any fund is established at all.

primary source of money to operate the blind-vendor program.

HEW has not developed minimum standards of program operation for State agencies. Officials recognize the need for providing program guidelines or standards and for making more evaluations of State agency operations but say these actions cannot be undertaken because HEW lacks people to do the work.

Vending operations at military installations

Vending operations in the Department of Defense (DOD) are extensive, but its regulations support and encourage vending operations that benefit the recreation and welfare of its personnel. This gives little consideration for the blind.

State agencies have often limited their efforts to establish blind-vendor stands at military locations because military officials have not been receptive to the idea.

Of 56 vending stands at 6 installations and the Pentagon, blind vendors operated 4. They had gross receipts of $230,600 and total net income of $38,000. Other vendors had gross sales of $12.6 million and total net income of $2.5 million from the remaining stands and nearly 6,000 vending machines.

Vending operations at military installations are, for the most part, non-appropriated-fund activities which contribute to welfare and morale programs. Military officials said blind vendors could reduce money available for these programs. It was difficult to determine exactly how installations used net vending income.

State agency officials visited some of the military installations with GAO and identified several vending operations which they believed blind vendors could operate. These officials said lack of success at military installations has caused them to reduce their efforts to establish new stands there.

Four of the six military bases visited had no blind-vendor operations. A total of 46 such operations are located on the nearly 490 major military installations in this country.

Military officials must be more willing to grant vending operation permits to the blind, and State agency officials must increase their efforts to contact military officials for new permits if progress in this area on behalf of the blind is to be made.

Vending operations at Postal Service facilities

Blind-vendor stands are operated in some post office lobbies. Most vending operations at postal facilities, however, are located in or near work areas and are controlled by employee welfare associations.

GAO sent questionnaires to 291 postal facilities; 288 reported a total of 68 vending stands operated by the blind and 1 vending stand and 2,873 vending machines controlled by employee associations.

Employee associations had gross receipts of $2.8 million (including commissions on vending machine sales by commercial enterprises) and a net income of $1.6 million.

About $86,800 of the net income was assigned to blind vendors under income-sharing arrangements; the remainder went for employee benefits, such as recreation programs, scholarships, and gifts.

GAO did not obtain financial data for those blind vendors having stands at the 288 locations, but for 10 blind vendors, 6 had net incomes of under $3,000.

A Postal Service internal audit report, dated June 1971, concluded that management attention given to vending operations had not been sufficient to insure compliance with Federal policies and regulations.

Expanding the program will depend on postal officials' attitudes about establishing blind-vendor stands on postal property and assigning income to blind vendors. State agency officials must also be more active in dealing with Postal Service officials on these matters.

Vending operations at other federally controlled buildings

Blind-vendor operations are more prevalent in other federally controlled buildings than at Postal Service or DOD installations.

In the 38 buildings reviewed, blind operators controlled 35 stands and 279 vending machines, and nonblind operators controlled 18 stands and 393 machies. Blind vendors had gross receipts of $2.3 million and a net income of $460,400, while employees' associations and commercial vending concerns had gross receipts of $1.9 million and a net income of $129,100.

Employees' associations used their income for such things as emergency loans to members, parties and picnics, and assisting hospital patients and their families.

However, certain activities compete with the blind-vendor program:

Cafeteria operators are permitted to operate a vending stand or to receive income from vending machines as an incentive to maintain good cafeteria service.

Minority business enterprises are placed in competition with a blind-vendor operation or established where a blind-vendor operation might have been placed.

Before the blind-vendor program in federally controlled buildings can be expanded, priorities among competing interests—the blind, minority enterprises, employee associations, and cafeteria operators—must be established.

Matters for consideration by the subcommittee

GAO has suggested certain matters that it believes the Subcommittee should consider in its deliberations on the blind-vendor program.

CHAPTER 1

Introduction

On August 9, 1972, the Chairman, Subcommittee on the Handicapped, Senate Committee on Labor and Public Welfare, requested us to review and report on vending operations on federally controlled property. The suggested objectives of this review, which were contained in a Subcommittee resolution, included obtaining financial data such as gross and net receipts for blind and nonblind vendor operations, determining how these receipts were used, and recommending changes to the pertinent law and its administration as deemed appropriate.

The objectives of our review were to

Determine the types of operations on federally controlled property, their locations, and who controls them.

Obtain all available gross and net receipts data from the operations observed and determine how the data was used,

Estimate the potential for expanding blind-vendor operations on federally controlled property,

Review State and Federal administration of the blind-vendor program, authorized by Public Law 74–731, as amended (Randolph-Sheppard Act), and

Determine whether blind persons have been given preference in operating vending stands on federally controlled property as provided for in the law.

Legislation

Assistance to States in rehabilitating handicapped persons to prepare them for gainful employment, including the blind, is provided under the Vocational Rehabilitation Act, as amended (29 U.S.C. 31). Services provided to the blind include the acquisition of vending stands and initial stocks.

In 1936 the Randolph-Sheppard Act (20 U.S.C. 107) was enacted to provide blind persons with remunerative employment, enlarge their economic opportunities, and encourage their self-support through the operation of vending stands on Federal property.

The act authorized operating vending stands on Federal property and stated that preference shall be given, so far as feasible, to blind persons licensed by a State agency. The head of each agency controlling the maintenance, operation, and protection of Federal property must prescribe regulations designed to insure that such preference is given provided that it does not unduly inconvenience agencies or adversely affect the interests of the United States.[1]

The 1954 amendments to the act provided for the assignment of vending machine income to blind persons so that they could achieve and protect their preference if machines competed with blind-vendor operations.

The retention and use of proceeds for vending operations on federally controlled property has been discussed several times over the years. Existing legislation (31 U.S.C. 484) provides that all moneys received from whatever source for the use of the United States shall be paid into the Treasury, unless disposition of these moneys is specifically provided for in 31 U.S.C. 487. Disposition of proceeds from non-blind-vendor operations is not specifically provided for in that section.

In a report to the Congress, dated August 10, 1949 (B–45101), on our audit responsibilities with regard to employee associations, we stated that problems had been caused by the

Tremendous growth of income and expenditures incident to the activities of various employee recreation and welfare groups,

Withholding of such nonappropriated funds from the Treasury, and

View of many departments that such moneys withheld are outside the purview of existing statute requiring deposit of funds into the Treasury.

Because of the importance of welfare and related activities in the Government service and because literal compliance with the statutes requiring deposit of all receipts into the Treasury was impracticable in some instances, the report recommended the enactment of clarifying legislation to reform and regulate "the entire haphazard structure of so-called 'welfare activities' in the departments and establishments of the Government * * *."

In view of the 1949 report to the Congress the Comptroller General was asked to advise on the practice of a Federal agency using funds received from vending machines for employee activities. A decision the Comptroller General rendered on August 29, 1952 (32 Comptroller General 124), stated that funds derived from vending machines on Government property are required to be deposited in the Treasury as miscellaneous receipts in the absence of express statutory authority to the contrary.

Shortly thereafter the Comptroller General was asked for a ruling on the disposition of proceeds from vending machines at locations having no blind-vendor operations. The request for the ruling pointed out that the profits from the machines were to be used for general welfare activities.

In a December 10, 1952, decision (32 Comp. Gen. 282), the Comptroller General stated that, although the legal authority was doubtful, we would interpose no objection to the continued use of proceeds derived by employee groups from the operation of such machines for employee general welfare activities pending enactment of legislation by the Congress as recommended in the 1949 report.

More recently, our General Counsel testified before the Subcommittee on Handicapped Workers in October 1971 that, since the Congress had not passed clarifying legislation, we have continued to follow the policy of not objecting to authorized Federal employee groups retaining vending machine proceeds. As of August 1973, legislation had not been clarified.

Program administration

Each State must prepare a plan describing its vocational rehabilitation program, including services to the blind, which, upon Federal approval, enables it to receive Federal grants. The plan must also designate the State agency or agencies to administer the program.

Under the Randolph-Sheppard Act, the Secretary of HEW designates a State agency to issue licenses to blind persons for operating vending stands. The act requires that this licensing agency be the agency that administers vocational rehabilitation services to the blind. The State licensing agencies also determine the types of stands to be established and their locations, provide licensed blind persons with necessary vending equipment and initial stock, report to the Secretary as required, issue program regulations, and provide a fair hearing for any licensee dissatisfied with a program action.

The Secretary is also responsible for surveying vendor stand opportunities for blind persons and issuing rules and regulations necessary to carry out the act.

The Rehabilitation Services Administration (RSA), an agency of HEW's Social and Rehabilitation Service, is responsible for administering the vocational rehabilitation program, including the blind-vendor program, at the Federal level. The Federal Government pays 80 percent of State program costs.

Program statistics

In the last 20 years the number of blind-vendor stands on Federal and non-Federal property has increased from 1,543 to 3,229, gross sales have increased from $20.6 million to $109.8 million, and operators' average earnings have increased from $2,209 to $6,996 annually. Additional program data is presented in appendixes I, II, and III.

HEW officials told us that it is difficult to estimate the number of blind persons who are capable of operating a vending stand. They believe, however, that by 1980, about 7,000 blind persons could be in the program.

CHAPTER 2

State agency operations

The State licensing agency, which administers the vending operations program, has the authority to issue rules and regulations governing the program. These rules and regulations, which must be consistent with the Randolph-Sheppard Act, may contain information on how activities, such as selecting vending sites, conducting training programs, providing management services, or operating set-aside funds[2] are to be carried out.

There are marked differences in how the program is carried out from State to State. Consequently, the quantity and quality of services provided to blind persons vary.

HEW's actions have, for the most part, been directed toward solving problems or approving program changes requested by State agencies rather than developing program guidelines and standards or evaluating State agency activities.

State administrative agencies

The vending operations program is administered through either a

[1] The act requires that agency regulations have Presidential approval. This authority was delegated to the Secretary, Department of Health, Education, and Welfare (HEW) in July 1971.

[2] Portions of revenue from vending stand operations that State agencies collect and set aside for various purposes to support the program.

licensing agency, which is the State agency designated to administer the program, or nominee agency, which is a private agency under contract with the licensing agency, to furnish services for the program.

However, the licensing agency retains full responsibility for managing and operating the program.

Four of the seven States we reviewed used only a State licensing agency. The others used both a nominee agency and a licensing agency. State licensing agencies and nominee agencies receive funds to operate the vending stand program through Federal vocational rehabilitation grants, State vocational rehabilitation grants, and set-aside funds. There is no requirement that a minimum amount or percentage of the total Federal grant be used for the program or that States provide a minimum amount of their own funds. Appendixes IV and V have specific data on State and nominee agencies regarding staffing and funding.

Actions to establish new or improved vending sites

The Randolph-Sheppard Act, as amended, requires the Secretary of HEW to make surveys of vendor stand opportunities for blind persons on Federal and other property. HEW has delegated this responsibility to State agencies and provided some finacial assistance for this task.

Criteria used by States

Each of the seven State agencies we visited had its own criteria to evaluate the potential of a site for supporting a vending operation. These criteria most often included such factors as

The amount of income the proposed operation can be expected to produce,

Competition in or near the building,

Availability of water and electrical lines as well as drains in the vicinity,

Cost to modify the space to accommodate the fixtures, and

Employee and daily visitor population.

Inconsistencies exist among State agencies' criteria. For example, of the 4 State agencies which have specific population criteria, 1 State requires a building population of 1,000 to support a dry vending stand,[3] while the other 3 States require only 175 to 300; 2 States have different criteria for wet and dry stands, while the other 2 use the same criteria for both.

Site survey statistics

The 7 State agencies reported to HEW that they had made 370 site surveys during fiscal year 1972. During the same year on Federal and non-Federal property 61 new vending stands were established and 34 were closed—a net gain of 27—in these 7 States. Nationally, 1,496 surveys were reported with a net gain of 87 new vending stands on Federal and non-Federal property. Eleven States showed a net loss, and 11 showed no change in the number of vending stands.

Reasons for not approving locations

Federal and non-Federal personnel gave the following reasons for not approving vending stand locations.

A location could not support a vending stand operation.

Agreements between the General Services Administration (GSA) and private cafeteria operators prohibit outside vendors from selling food.

Commissions from vending machines currently servicing the building are being used to supplement cafeteria operations.

A vending stand would cause undue congestion and would disrupt the accessibility to the lobby or other areas of the building.

The population of the building is not large enough to support a vending operation.

Suitable space is not available.

Factors affecting States' site survey efforts

Several factors affect State agency efforts to survey potential vending operations.

States have reduced or eliminated efforts to survey Federal sites, particularly military and postal facilities, because they have had little success. (Nationwide, during fiscal year 1972 Federal property had a net loss of 3 vending stands, and non-Federal property had a net gain of 90 stands as shown in appendix I.)

States lack uniform criteria for determining when to make a survey and what factors to consider.

State agency officials must rely on their own initiative and resources to learn where potential vending sites exist or will exist after new construction or renovations are completed.

States will not make site surveys unless the possibility is very high that a new vending stand will be established.

Some States place more emphasis on surveying private industry sites.

On the basis of fiscal year 1972 program statistics and our observations, efforts to survey sites for vending operations should be increased if the program is to expand.

Supervisory visits

Representatives of licensing or nominee agencies make supervisory visits to vending stands to insure proper operation of the blind-vendor program. As a general rule, representatives visit vending stands at least once each month.

Of the seven States reviewed, only Massachusetts and Texas maintained records of the number of supervisory visits. California, the District of Columbia, and Illinois provided us with estimates; Maryland and Missouri could not estimate the number of visits.

The following table shows the number of actual or estimated supervisory visits representatives made in five States during fiscal year 1972.

State	Number of visits	Number of vending stands (Federal and non-Federal)	Average number of visits per location yearly
California	[1] 10,656	296	36.0
District of Columbia	[1] 1,108	75	14.8
Illinois	[1] 1,500	87	17.2
Massachusetts	680	40	17.0
Texas	3,997	160	24.9

[1] Estimate.

During these visits, representatives may evaluate the operator on such matters as

Cleanliness and overall appearance of the stand,

Personal appearance of both manager and employees,

Management efficiency, such as payment of bills, effective purchase and control of merchandise, sales techniques, and completeness of weekly or monthly reports, and

Public relations, i.e., attitude and relationship with customers and employees.

Although it appears that representatives made a substantial number of supervisory visits in five States, they lacked satisfactory documentation supporting exactly how many visits had been made. None of the States could provide documentation showing what had been accomplished during these visits.

In addition to supervisory visits, blind-vendor operations in three States were also subjected to financial reviews by State auditors or certified public accountants which covered the period from fiscal year 1970 through 1972. The reviews did not include examinations of program operations.

Selecting and training operators

State licensing agencies are responsible for providing services, including preliminary training, to persons eligible as operators of vending stands. However, formal training of operators, such as classroom sessions and on-the-job training, is under the direction of the State licensing agency or the nominee agency.

Referral and selection of prospective operators

Rehabilitation counselors or specialists recommend blind persons for the vending program on the basis of their being able to meet the entrance criteria and their interest in operating a vending stand.

Part of the criteria for entering the training program is that the applicant must be at least 21 years of age, a citizen of the United States, and be blind, as defined in the Code of Federal Regulations (45 CFR 409.1(p)) pursuant to the Randolph-Sheppard Act.

An applicant is also subject to an evaluation of his psychological, emotional, socioeconomic, and vocational histories.

When an applicant has met the required criteria he goes through a final screening process, which determines whether he will be accepted into the program. The process may include a personal interview with an official of the State vocational rehabilitation agency or the licensing agency (as in Maryland and the District) or an evaluation by a screening committee (as in Illinois). Formal training for applicants starts after acceptance into the program.

Training

The three basic types of training provided by States in our review are—

Preliminary or provisional on-the-job training,

Formal training, including classroom study and on-the-job training, and

In-service training.

Of the seven States, only Massachusetts and Texas provide preliminary or provisional on-the-job training designed to familiarize the applicant with work situations. The applicant is assigned to a vending stand under the supervision and guidance of a licensed operator. At the end of the period, the applicant is evaluated and the State agency personnel determine whether the applicant is qualified to proceed to formal training.

Formal training is provided by all States and consists of classroom and on-the-job training.

Some of the important areas covered in classroom training are:

Bookkeeping and accounting skills necessary for operating an enterprise;

Merchandising, purchasing, and display;

Customer relations;

Food preparation;

Markup of merchandise and percentage of gross profit; and

Sanitation and legal aspects of food handling.

The District, Maryland, and Massachusetts do not provide classroom training. Training consists primarily of on-the-job experience.

During on-the-job training, applicants are judged through stand operators' progress and evaluation reports and through licensing or nominee agency supervisors' observation. After on-the-job training, successful trainees are licensed (certified by the licensing agency to operate a vending stand) and assigned to a vending stand, if available. If an applicant is not successful, he can be

[3] A dry stand, unlike a wet stand, does not sell beverages.

given additional training or withdraw from the program.

Only two of the seven States, Illinois and Maryland, provide for periodic in-service training for licensed operators. These training activities may include workshops, seminars, or conferences, tailored to improve and develop operators' management skills and to exchange views and ideas on ways to improve the program.

Number of persons trained and placed

During fiscal year 1972, 121 persons completed operator training in 6 of the States we reviewed; 58 persons had completed or had substantially completed their training and were waiting for a vacancy or needed some additional experience before placement.

Income-sharing arrangements with Federal employee groups

Section 101–19.206 of the Federal Property Management Regulations states that employee welfare and recreation groups and blind vendors can share operations and income from vending machines. The regulations provide that the Regional Administrator of GSA and the Commissioner of RSA must agree upon the conditions for sharing after consulting with the sponsoring Federal agency. These regulations apply to all property owned, leased, or occupied by the Federal Government over which GSA has control.

Federal agency regulations provide that a portion of the income from vending machines, which are located within reasonable proximity to and which are in direct competition with a licensed vending stand, be assigned to a blind operator. Regulations of several of the agencies state that a vending machine shall be considered in reasonable proximity and in direct competition with a vending stand if the machine contains the same articles as the stand and is located so that it attracts customers who would otherwise patronize the stand.

Federal agencies have not applied these regulations adequately, and their practices have not been uniform. For the most part, licensing or nominee agencies, do not have written policies regarding how income is to be shared between blind persons and other competing groups. Arrangements for assigning income were negotiated on a case-by-case basis and were either verbal or written.

We found that the percentage of competing operations income which blind vendors operating in Federal facilities received varied from State to State. For example, in some buildings in the District, Texas, and Maryland, blind vendors were receiving 100 percent of the profit from some machines and profit from the remainder of the machines went to various employee associations or, in the case of the District, to the Government Services, Incorporated.

In other locations in Maryland and Texas and in some locations in California, blind vendors were sharing vending machine commissions on a percentage basis. They received from 10 to 65 percent of the gross income from competing vending operations. In other instances blind vendors did not share any of the profit from competing operations, even though State agency officials had attempted to arrange it.

At four Federal complexes in Missouri, blind vendors were sharing from 25 to 50 percent of their vending machine profits with employee associations—about $25,000 of the total $78,000 profits in 1972. In two Illinois locations, blind vendors were paying 8 to 10 percent of net sales to employee associations.

Assignment of vending machine income was also inconsistent at postal facilities.

Set-aside funds

States' methods to set aside funds for use in operating the blind-vendor program vary as to how much each operator must contribute to the fund and how funds are to be used to assist blind vendors. Some States do not set aside funds.

The Randolph-Sheppard Act specifies that States may set aside funds from vending stand proceeds to maintain and replace equipment, purchase equipment, provide management services, and insure a fair minimum return to operators.

Fourteen States, Guam, Puerto Rico, and the Virgin Islands, do not set aside funds for operating their vending stand programs under the Randolph-Sheppard Act. Of the seven States included in our reivew, only Massachusetts does not set aside funds.

Reasons for not using set-aside funds

Massachusetts officials informed us that they do not set aside funds because, in their opinion, it would

Reduce the incentive of some operators because they would know that they would be guaranteed a fair minimum return from the fund,

Invite operators to report less than actual gross revenues so that they would pay less into the fund,

Make it necessary for the Commission for the Blind to employ a large staff of police-oriented counselors, and

Reduce the extent of proper care of operators' equipment because they would not have to pay to repair or replace it.

Although Massachusetts does not set aside funds, the State Commission recommends that a reserve fund be established for each stand on the basis of the type and complexity of the equipment used. The operator agrees to use this fund only for emergency repairs and for replacing minor equipment and to make weekly deposits of not less than 3 percent of his gross sales until the stipulated amount is reached.

States that use set-aside funds

States that set aside funds require operators to contribute monthly to a set-aside-fund account. The amount to be set aside varies from State to State. However, most States set aside a percentage of either gross sales or net profit. For example:

In Missouri, 10 percent of net profit must be deposited into the fund.

In Maryland, funds are set aside by an administrative levy on gross sales according to the following formula: First $1,000, no levy; $1,001 to $4,000, 8 percent of gross sales; $4,001 to $6,000, 9 percent; and above $6,000, 10 percent.

In California, the current fee schedule ranges from $1 for monthly gross sales of less than $1,000, to 5.8 percent of gross sales of $8,500 or more.

In the District, funds are set aside monthly on the basis of gross sales plus vending machine income, according to the following formula: First $400, no levy; second $400, 6 percent; third $400, 8 percent; everything over $1,200, 9.5 percent.

Use of set-aside funds

In the six States we found that funds were used for maintaining, replacing, or purchasing new equipment; providing management services; and guaranteeing a fair minimum return to blind operators. Only three of these States—the District, Illinois, and Missouri—guarantee a fair minimum return to operators: $95 a week in Illinois, $400 a month in the District, and $300 a month in Missouri.

RSA officials told us that set-aside funds should be used to make payments into a pension fund for blind vendors. Set-aside funds cannot be used for this purpose because the Randolph-Sheppard Act does not authorize it.

Because a great share of the blind-vendor program is funded by blind vendors' payments into set-aside funds (see app. V) it would seem that set-aside funds should be used for any reasonable purpose that would benefit blind vendors.

HEW actions to guide and monitor State agency activities

According to HEW, although it recognizes the need for providing program guidelines or standards and for making more evaluations of State agency actions, it lacks manpower to do so.

HEW resources spent for the program

RSA does not maintain separate records on the money or manpower used to administer the blind-vendor program. However, RSA officials estimated that less than 2 man-years of professional staff time was spent on administering the program in the headquarters office during fiscal year 1972 at a cost of $45,000 to $50,000. No significant increases in money or staff are expected any time soon. Officials could not estimate regional office efforts but believed they were minimal.

Services provided by HEW

Two types of services have been provided to State agencies: (1) solving problems, such as interpreting policy questions or negotiating with Federal agencies when State agencies needed assistance, and (2) approving changes to State plans, rules and regulations, and set-aside fund computation schedules.

Other services provided to a lesser extent included preparing training seminars for State agency personnel, compiling program statistics, and reviewing State agency operations.

Necessary program actions by RSA

RSA officials stated a need to:

Establish minimum training requirements and to work more with States which have weak training programs,

Instruct States on which factors they should consider in evaluating the potential of a site as a future location for a vending operation,

Make more management or program reviews of State agency operations and follow up on actions in response to recommendations which detail the results of the reviews, and

Require and review additional reports from the States, which would provide information on such matters as program personnel, Federal expenditures, training costs, assignment of vending machine income, and the number of blind assistant operators or employees.

RSA officials said they had not accomplished these tasks because they lacked manpower. They considered the level of effort of the headquarters staff—less than 2 man-years—and the minimal regional office assistance inadequate to accomplish necessary actions. Also, no contracts have been awarded to undertake work which these officials stated could benefit the program.

We did not attempt to make a manpower study or assess the priority of all tasks to be done. It is apparent, however, that several major management actions which could assist in improving program administration have not been undertaken.

CHAPTER 3

Vending operations at military installations

Vending operations on property controlled by the Department of Defense (DOD) are extensive. However, blind-vendor operations are limited at some locations, and other locations have none at all. This has occurred because DOD implements regulations in a way

which supports and encourages vending operations that benefit the recreation and welfare of military and civilian personnel and gives little consideration for the blind. Also, according to State agency officials, efforts to establish blind-vendor stands at military locations have often been limited because military officials have not been receptive to the idea.

We reviewed vending operations at six major military installations and at the Pentagon,[4] as summarized below.

Location	Controlled by blind persons		Controlled by others	
	Stands	Machines	Stands	Machines
Fort Belvoir, Va			6	1,041
Norfolk Naval Shipyard, Va	1		12	356
Charleston Naval Base, S.C	1			361
Fort Riley, Kans				739
Lackland Air Force Base, Tex			17	1,912
Camp Pendleton, Calif			11	1,387
Pentagon	2		6	188
Total	4		52	5,984

With the exception of the Pentagon, which houses 24,000 employees, each location had numerous buildings spread over a large area with no fewer than 14,500 military and civilian personnel.

DOD regulations and policies

DOD regulations, while conforming to the requirements of the Randolph-Sheppard Act, emphasize the need for and importance of an adequate morale and welfare program which is not to be jeopardized by blind-vendor operations. Implementation of these regulations has severely limited the blind-vendor program on DOD property.

DOD has traditionally used nonappropriated fund operations, such as post exchanges, movie theaters, and restaurants to foster the morale and welfare of its personnel. Revenue from these activities is to be used to supplement appropriated funds for this purpose.

DOD regulations, dated August 1963, state that a blind person licensed by a State agency will be given preference to operate a vending stand where feasible. A local commanding officer may deny or revoke this preference if security or sanitary standards are not met or for any other reasons where the interests of the United States would be adversely affected or DOD would be unduly inconvenienced.

The regulations provide further that permission to operate a blind-vendor stand will not be granted:

"* * * if to do so would seriously affect the primary mission of the Department of Defense by reducing revenue below the point which is necessary for the maintenance of a reasonably adequate morale and welfare program. * * * No permits should be granted that will place the morale and welfare program in jeopardy."

According to DOD regulations, preference to blind vendors is protected from unfair or unreasonable competition by vending machines. The regulations provide that a blind vendor is to acquire the income from these machines, if they are operated in reasonable proximity to a blind-vendor stand and if they sell the same items.

A final, important provision of the DOD regulations is that if a local commander and the State agency cannot agree on granting a permit to operate a blind-vendor stand or on the terms of a permit, the State agency can appeal such disagreements. DOD administers this appeal procedure.

The Army, Navy, and Air Force have regulations which essentially repeat the provisions of the DOD regulations regarding blind-vendor stands. However, in implementing these regulations, DOD officials have limited the blind-vendor program. In fiscal year 1972, 46 of 878 blind-vendor stands on federally controlled property were on DOD property.

Financial results

According to the most recent financial data available, annual gross sales from vending operations at the seven locations visited were over $12.8 million. Of this amount, blind vendors' gross receipts were about $230,600, while various nonappropriated fund organizations and commercial vending concerns had gross sales of $9.3 million and $3.3 million, respectively. In addition, the nonappropriated fund organizations earned $900,000 in commissions from vending machines to bring their total gross receipts to $10.2 million. (See appendix VI.)

The total net income blind vendors earned from four operations at three military installations was $38,000. (This represents all blind-vendor operations at the seven installations.) The net income of the various nonappropriated fund organizations from vending operations at these seven locations totaled about $2.5 million. Generally, commercial concerns could not furnish us net income data from their operations at the locations we reviewed because their accounting records were not organized to show this data.

Blind vendors received income from 4 vending stands and no vending machines, while nonblind operators received income from 52 vending stands and 5,984 vending machines.

The four blind vendors, who had a total annual net income of $38,000, had individual incomes ranging from $4,000 to $16,000. These vendors received no income from operating vending machines or through assignment of income from competing machines or other vending operations.

Non-blind-vendor income

Various nonappropriated fund organizations shared the annual net income of $2.5 million for nonblind operators. At one installation the annual net income from vending machines was $4,500; at the remaining installations, annual net incomes ranged from $156,000 to $792,000.

Because of the type of financial records maintained, we could not obtain net income data on each individual vending operation but only for all vending operations at an installation. We were able, however, to obtain individual gross receipts data for most of the operations.

The 52 vending stands operated by nonblind organizations had total gross receipts of $5.5 million and total net income of $636,800. For all vending machine operations, gross receipts totaled $4.8 million, including commissions of $900,000 on vending machine sales by commercial enterprises, and the net income was $1.8 million. However, a disadvantage is that machines are often located over a large area on a military installation, both inside and outside of numerous buildings, which makes servicing them difficult. In several cases, machines were grouped in a building, which made them easier to service.

In nine cases at three of the locations reviewed, we were able to obtain data which showed that gross receipts from vending machines grouped in a building ranged from $27,000 to $86,000. Since total vending machine results showed that net income exceeded 30 percent of gross receipts, all of the locations where machines were grouped in a building appear to have the potential to financially support one or more blind persons.

Use of income by nonblind vendors

The majority of nonblind vendors are the post exchange systems of the various services—the Army and Air Force Exchange Service, the Navy Exchange, the Marine Corps Exchange—the Special Services, post central welfare funds, employee cooperative associations, post restaurants, and open messes. These organizations, for the most part, operate on nonappropriated funds and must abide by DOD regulations.

Determining how these organizations used net income was difficult, since the money passes through several administrative organizations until it reaches the organization which provides direct services. The following examples will demonstrate the complexity of following funds to determine their use.

All net income from three installations' Post Exchange operations included in our review is forwarded to the Army and Air Force Exchange Service Headquarters in Dallas, Texas. The Exchange Service uses some of these funds to finance its operations.

Dividends declared by the Exchange Service are paid to the Army and Air Force Central Welfare Board in the District, where they are apportioned to the two services' central welfare funds. Central welfare funds then allocate funds to commands, which in turn allocate funds to camps, posts, and stations to provide recreational activities and equipment. Sizable amounts are retained at the central welfare fund levels to finance major projects, such as construction of facilities to house nonappropriated fund activities at military installations.

The Marine Corps and Navy also have central organizations that receive and retain a portion of net receipts from installations. For example, for the fiscal year ended January 1973, the Post Exchange at a major installation earned a net profit of $1,824,000 from all operations, including vending operations. The net profit was distributed as follows:

Installation recreation fund	$900,000
Central construction fund	880,000
Retained by the Exchange for various purposes	44,000
Total	1,824,000

The Navy Exchange divides its net receipts between local and national morale and welfare programs. One naval installation shares 60 percent of net receipts (on the basis of sales) among three components—the Naval Station, the Naval Hospital, and the Naval Weapons Station. The Commanders of these activities are responsible for using these funds in addition to appropriated funds to provide morale and welfare programs. The remaining 40 percent of the net receipts are forwarded to a pool of funds controlled by the Chief of Naval Personnel for morale and welfare programs throughout the Navy.

Military and State agency officials' views on blind-vendor operations

Military and State agency officials expressed opposing views regarding the feasibility of blind persons operating vending stands at military installations.

[4] Although the Pentagon is actually a GSA building, we discuss its vending operations in this chapter because DOD plays a significant role in determining what operations are permitted in the Pentagon. Although the 7 installations visited represented a small percentage of the nearly 490 military installations in the country, they were important in terms of size and number of servicemen involved. Also, each branch of service was represented and the installations were geographically dispersed.

Military officials views

At a location which had one blind-vendor stand, officials did not foresee program expansion because they believed more blind-vendor stands would jeopardize cafeteria operations run by a commercial concern or that the stands could not compete with other operations, such as cafeterias and mess clubs.

Officials at another base informed us that a blind vendor could encounter several problems operating there, including theft, regulated prices, sanitation requirements, competition from other operations, and rising labor costs. Officials at this base and at one other said the Army and Air Force Exchange Service regulations have no provision specifically considering the blind in selecting contractors to carry out operations.

Military officials also expressed the following concerns.

Exchange Service operations are exempt from certain State taxes whereas blind vendors would not be exempt and would have to charge higher prices.

Blind vendors would need to be supervised carefully.

Expanding the blind vendor program could possibly reduce the funds available for the morale and welfare programs which are earned from various enterprises, including vending operations.

Although military officials acknowledged that DOD regulations require that preference be given to the blind to operate vending stands, they did not express any support for the program.

State officials' views

We asked officials of the State agencies for the blind for their views on establishing or expanding the blind-vendor program on the military installations we visited.

An official of one State agency toured a military base with us and later concluded that five snack-bar type operations appeared feasible for operation by blind vendors. This base had no blind-vendor operations. Base officials told us that they would consider any applications from blind persons to operate a vending stand.

At another base having no blind-vendor operations, a State official said a blind person could probably control one group of vending machines. Base officials were not sure whether a blind person could handle the operation.

At another base, a State agency official said blind persons could operate 11 vending operations. Base officials gave several reasons why blind-vendor stands would not benefit the base, the main concern being a loss of revenue to the recreation fund.

Several State officials told us they have not made much of an effort to establish blind-vendor stands on military bases because of the lack of success experienced in the past and the higher rate of success in establishing stands in private industry.

Potential for increasing blind-vendor operations

Four of the major military bases we visited had no blind-vendor operations. State agency officials believe that blind person could possibly operate several of the existing vending operations at three of these bases. We have been advised recently that arrangements are being made to establish a blind-vendor operation at the fourth base.

To expand the blind-vendor program on military bases, military officials must be willing to grant more permits for blind-vendor operations and State agency officials must try harder to contact military officials for these permits.

CHAPTER 4

Vending operations at Postal Service facilities

Although blind vendors operate stands in some post office lobbies, most vending operations at postal facilities are located in or near work areas and are controlled by employee welfare associations. As a result, opportunities for blind-vendor operations generally have been limited to that part of the postal facility accessible to the public. In addition, postal officials have interpreted Postal Service regulations in a manner that has not been advantageous to the blind, and regulations on assigning vending machine income to blind vendors have not been applied consistently.

We attempted to obtain data through questionnaires on vending operations at 291 major facilities, of which 285 are first-class post offices, located in 3 of the 5 postal regions—the New York Metropolitan Region, the Central Region (Chicago), and the Western Region (San Francisco). We visited nine of these locations. Our sample was selected primarily on the basis of postal revenues reported by over 5,100 major facilities.

Over 98 percent of the facilities responded to our questionnaires. Responses showed that employee associations were controlling 1 vending stand and 2,873 vending machines, plus an undetermined number of machines not listed on the questionnaires. Blind vendors were operating 68 vending stands at these locations. They represent 29 percent of the 237 blind vendors who operated at postal facilities during fiscal year 1972. Although blind persons were operating many more vending stands than employee welfare associations, the associations were controlling nearly all the vending machines at each postal facility that were not part of a vending stand.

Regulations and policies

Postal Service regulations specify that blind persons are to be given preference in installing and operating vending stands on Postal Service property.

Local and regional Postal Service officials must approve a permit to operate a blind-vendor stand. Appeals by State agencies, when permits are not approved or when there is disagreement over permit terms, are directed to other Postal Service officials for a final decision.

A provision of the Postal Service regulations describes how income from vending machines, which compete with blind-vendor stands, may be assigned to the blind vendor. The regulations provide that:

"Profits from all vending machines presently operated by a licensed blind operator of a *lobby stand*, either in conjunction with his stand or in other areas of the same building under control of the Post Office Department,[5] shall be assigned to the blind operator. When machines are being operated by an employees' committee in proximity to a stand or machines operated by a blind person and are in competition therewith, and a blind operator is not receiving an adequate income, *consideration shall be given to assigning him all or part of the profits from other vending machines in the same building, regardless of location.* (Adequate income is construed as being the equivalent of the average income of the average employee at the installation.) Reassignment of profits shall be considered only upon request from a State licensing agency to a postmaster or other postal official in charge of an installation. Assignment of profits to the blind operator from other vending machines shall be determined by the postal official in charge and the State licensing agency on the basis of the following.

a. Proximity to and competition with the vending stand;

b. Income which accrues to the operator from the stand operation; and

c. Profits from vending machines not operated in connection with the stand." (Emphasis supplied.)

Postal Service officials gave us various interpretations of some of the provisions in the regulations. Some officials said that blind-vendor stands could be approved only for public areas of the post offices because of the potential danger to blind persons in work areas and employee resistance to any reduction in their associations' vending income. One regional Postal Service official, who supported this interpretation, acknowledged several blind vendors operating stands in post office work areas in his region, but said that this had occurred before the Postal Service was created.

Assigning vending machine income to blind vendors is not done consistently because of varying interpretations of the regulations. The methods of assigning vending machine income to blind vendors varied. Methods used included (1) a fixed monthly or annual payment, (2) all receipts from certain vending machines, (3) a fixed percentage of all vending machine receipts, and (4) an income supplement sufficient to raise blind vendors' incomes to the equivalent average income of the employees at the installation. Inconsistency was demonstrated in the Central Postal Region where operators of 38 blind-vendor stands were experiencing the following:

No income assigned to blind	21
Income assigned to blind:	
Payment by vending company	7
Payment by employee welfare fund:	
Specified percentage of gross receipts	4
Equivalent to average income of postal employees	3
Fixed amount	3
Total	38

In some cases blind vendors who had low net incomes were not assigned income or were assigned a nominal amount, whereas some vendors earning over $10,000 were assigned income. In one region for example, one blind vendor with a net income of $1,200 was assigned only $45 from vending machine income. On the other hand, a blind vendor with a net income of $11,200 from his own operation also received assigned vending machine income of $10,100 making his total income $21,300.

Financial results

Employee welfare associations had annual gross receipts of $2.8 million from vending operations at locations which responded to our questionnaires. Because our questionnaires to Postal Service officials did not request income data for blind vendors and because some commercial vending companies would not furnish us income data, we were not able to compute total gross receipts or net income earned from vending operations.

Non-blind-vendor income and its use

Of the $2.8 million in gross receipts (including commissions on vending machines sales by commercial enterprises), employee welfare associations earned a net income of about $1.6 million.[6] (See app. VII.) We asked, in our questionnaire, that each re-

[5] These regulations were written before the Post Office Department was reorganized into the U.S. Postal Service. They have been adopted in the Postal Service Manual.

[6] We tested the financial data on three employee association funds and found their reported amounts to be substantially accurate.

spondent indicate whether it had earned net income of $3,600 or more. Of the 288 associations responding, 68 reported net incomes of $3,600 or more, including 37 locations having no blind-vendor operations. Thirty-one associations had net incomes of over $10,000 and two associations reported net incomes exceeding $100,000 from vending operations.

Two important factors must be considered in discussing the gross and net incomes from vending operations controlled by employee associations. First, in the locations where commercial vending companies were servicing vending machines under a contract with the employee associations, we were able to obtain data on commissions paid to the associations but not on total sales. Therefore, the total gross receipts amount of $2.8 million does not represent total sales but commissions received from vending companies plus gross sales from vending operations controlled by employee associations. Actual total sales, therefore, would exceed the total gross receipts of $2.8 million reported.

Second, many employee associations control vending operations at more than one location. So while an association may report substantial total net income, the net income from each location may not be substantial. Information received from employee associations was generally for total operations, therefore, we were unable to determine results of vending operations at each location, which would be needed to assess the profit potential of each operation controlled by employee associations.

The net income of $1.6 million earned by postal employee associations was used for various purposes. The following table illustrates the major uses of funds during fiscal year 1972.

Use of funds	New York metro region	Central region	Western region	Total
Assigned to blind vendors	$43,800	$37,455	$5,546	$86,801
Recreation and trophy costs	193,301	182,326	271,277	646,904
Retirement or separation parties and gifts	50,620	81,818	74,060	206,498
Radio and public address system costs	32,520	27,444	12,725	72,689
Birth, wedding, and death remembrances	21,050	33,187	13,673	67,910
Other[1]	93,391	351,044	153,537	597,972
Total	434,682	713,274	530,818	1,678,774

[1] Includes expenditures for miscellaneous items, such as gift certificates, coffee, turkey, and scholarships.

Many employee associations spent more money than they earned during fiscal year 1972. This was made possible by using money available from previous years' earnings.

Blind-vendor income

We did not obtain income data for all of the 68 blind-vendor operations at the postal facilities sampled because we did not visit each operation, and our questionnaires to Postal Service officials requested data only on vending machine income assigned to blind vendors. The limited financial data obtained gave us some indication as to how some blind vendors were faring economically.

In one region seven blind vendors had total gross sales of $823,000 and total net income of $44,700, including assigned income. Four vendors had net incomes of less than $3,000 while one vendor had a net income of over $23,000. In another region, two blind vendors had earned less than $3,000—one had assigned income, the other did not—and a third blind vendor had earned $11,200 excluding assigned income. While 6 of the 10 vendors in these 2 regions had low net incomes, we cannot determine whether this data is representative of all of the 237 blind vendors who operated stands at postal facilities in fiscal year 1972.

As discussed previously, income was assigned to 38 of the 68 blind vendors operating in the facilities we reviewed. Responses to our questionnaires from postal facilities where blind vendors were operating stands showed that a total income of $105,000 had been assigned to 33 of the 38 blind vendors. The amount of income assigned ranged from $180 to $14,000 annually. As mentioned previously the amount of income assigned to a blind vendor is not always determined by the net income which he earns from his own operations.

Internal audit

The Internal Audit Division of the Postal Service issued a report in June 1971 concerning welfare committee and cafeteria operations at various post offices. Although the report was primarily concerned with weaknesses in fund control, it also discussed weaknesses in administering blind-vendor operations and recommended changes to Postal Service policies which would benefit blind vendors. However, proposed revisions to these policies, which are under the Postal Service's consideration, do not include those recommended by the Internal Audit Division.

The report concluded that there is no uniform system for sharing welfare fund revenues with blind vendors. It stated that, at some locations blind vendors received no revenues from the welfare funds, while at other locations they received arbitrary allocations of revenues. Also, there had been virtually no review or evaluation of blind operators' incomes to determine the adequacy of allocations. The two major factors reported as contributing to the breakdown in administering the blind operations were

Lack of local management attention to insure that policy and regulations are complied with; and

State agencies' reluctance to confer with postmasters or provide them with information on blind vendors' earnings.

The report concluded that one result of these deficiencies was that two blind operators from the Western Postal Region have incomes that are substantially higher than postal employees' earnings at the same locations, while at other locations, blind operators have insufficient incomes. The report recommended that:

The Regional Postmasters General instruct those postmasters with blind vendors to annually confer with State agencies in setting incomes for the blind; any problem areas should be resolved by the regions.

The Personnel Department consider revising the current procedures for planning blind-vendor stands in new facilities; the Postal Service should take the initiative to advise State agencies of any location appropriate for a blind-vendor stand.

A Postal Service official informed us that final action had not been taken on these recommendations. The Postal Service is currently preparing instructions for food-service operations and employee social and recreation committees. However, procedures concerning blind-vendor stands have not been significantly modified. The Postal Service official, knowledgeable of pending regulations, told us that blind-vendor stands will be confined to public areas and restricted from work areas in the future. In addition, the average postal salary, with which vendors' incomes will be compared, will still not be defined by Postal Service regulations. Therefore, any supplemental payments to blind operators will be negotiated between postmasters and State agencies. Further, there will be no provision for the Postal Service to take the initiative to contact State agencies.

Potential or increasing blind-vendor operations

Expanding the blind-vendor program in postal facilities will depend to a large degree on Postal Service officials' attitudes on:

Allowing additional vending operations for the blind to be established on postal property and

Revising Postal Service regulations to clarify how the assignment of income to blind vendors should be determined.

Also, State agency officials must be more active in dealing with Postal Service officials on these matters. State officials cited a low success factor as the primary reason for their limited effort in attempting to establish additional blind-vendor operations at postal facilities.

CHAPTER 5

Vending operations in other federally controlled buildings

Blind-vendor operations are more prevalent in other federally controlled buildings than at Postal Service or DOD installations but there are activities which compete with the blind in the vending stand program. In some cases, the same organization operating a cafeteria is operating a vending stand or is receiving income from vending machines as an incentive to maintain good cafeteria service. Another problem which came to our attention was that in some cases minority business enterprises have been competing with blind-vendor operations or have been placed where blind-vendor operations could have been established.

We attempted to locate and review all vending operations in 38 of more than 2,600 buildings owned or totally leased by GSA, the District government, or such agencies as the National Institutes of Health. The 38 buildings are in 6 cities located across the country and in the Washington metropolitan area. The following table summarized the operations reviewed.

	Number of buildings	Controlled by blind persons		Controlled by others	
		Stands	Machines	Stands	Machines
GSA:					
Owned	15	23	227	15	145
Leased	4	3	30	----	98
NIH: Owned	6	5	----	----	104
District government:					
Owned	5	4	22	3	37
Leased	8	----	----	----	9
Total	38	35	279	18	393

Additional details on each building are in appendix VIII.

Financial results

During fiscal year 1972, the gross income from all vending operations located in 35 of the 38 buildings included in our review totaled about $4.2 million. Of this amount, blind vendors grossed about $2.3 million and employee associations and commercial vending concerns together grossed $1.9 million.

The total net income from these vending operations was $589,500, of which 44 blind vendors earned $460,400 from operations in 22 buildings and 5 employee associations and 3 commercial vending concerns earned $129,100 from operations in 29 buildings.

Blind-vendor income

The 44 blind vendors who shared the total net profit of $460,400 had individual annual incomes ranging from $1,776 to $30,000. Fifteen vendors earned less than $7,000, four of which earned less than $3,000. None of the blind vendors who operated 19 stands in proximity to vending machines operated by others were receiving a share of the income from the machines. Instead, employee associations or commercial vending concerns received the income despite the provision of the Randolph-Sheppard Act.

Assignment of income would be desirable in some cases. For example in one case we observed, a blind vendor competing with a nearby snack bar operated by a commercial concern was not assigned any income from

the vending machines associated with the snack bar, which grossed $73,400 in 1972, even though his annual net income was about $2,000 and had to be supplemented by the State agency.

Non-blind-vendor income

Of the $129,100 net earnings which employee associations and commercial vending concerns had, five employee associations earned $15,100. Only one association operated vending stands.

During fiscal year 1972 a net loss of $19,500 was recorded from the operation of six vending stands, despite sales of about $1.2 million. Net income from vending machines, however, was about $34,700, of which $28,000 was earned from two locations having net earnings exceeding $11,600.

Three commercial concerns had net earnings of $114,000. One concern netted over $74,000 from vending stands located in seven buildings; the other two concerns did not operate vending stands. The $40,000 earned from vending machines went primarily to one concern which earned $31,300 from machines in seven locations. The remaining concerns earned $6,100 and $2,600, respectively.

Use of income by nonblind vendors

The net earnings retained by employee associations are used to support a variety of activities to benefit their members and other persons needing assistance. For example, some associations use their funds for emergency, interest-free loans to their members; annual picnics or Christmas parties; and athletic activities. Two employee associations with vending operations in hospitals use a portion of their earnings to assist patients and visiting families.

Activities competing with blind-vendor operations

Although the blind-vendor program operates under generally favorable circumstances in Federal complexes, some activities compete with the blind for vending operations at federally controlled locations.

Cafeteria operators favored

GSA often authorizes operation of a vending stand or assigns cafeteria operators the right to vending machine commissions on the premise that it protects the interests of the operation and the Government employees by keeping food quality high and the prices low. GSA has found that cafeterias in Federal buildings frequently operate at a loss or a low profit margin. Vending commissions, in GSA's opinion, provide the cafeteria operators with the incentive and supplementary income to continue operating in the desired fashion.

If a cafeteria and a blind-vendor stand are in the same building, GSA attempts to allocate vending operations on a basis that will serve the best interests of each. Therefore, a cafeteria may be assigned the right to the income of the major portion of vending machines. In addition, the types of items blind vendors sell might be restricted to limit competition with the cafeteria. The Federal property management regulations promulgated by GSA provide that blind persons and employee associations can share vending machine income but do not provide for dividing this income between the blind and a commercial food-service operator.

In November 1972, GSA proposed new regulations which would have limited the types of items blind vendors could sell. The change was proposed to ease cafeteria operator's financial problems and GSA's problems with cafeteria operators in Federal buildings and to obtain bids for cafeteria operations. In December 1972, however, the proposal was withdrawn because of congressional and public criticism and because the regulations did not insure continued operation of existing blind-vendor standards.

In six instances cafeteria operators were authorized to operate a vending stand or were assigned vending machine income, while blind vendors in the same building were not assigned such income.

Minority business enterprise

Arrangements for developing and coordinating a national program for minority business enterprises were prescribed in Executive Order No. 11625, dated October 13, 1971. Under this Executive Order, Federal departments and agencies are to continue all current efforts to foster and promote minority business enterprises, cooperate with the Secretary of Commerce in increasing the total Federal effort, and report annually on their activities in this program.

Federal departments or agencies award contracts to minority enterprises for conducting business activities on Federal property. In some cases, contracts call for operating vending facilities. Although we did not examine any vending facilities being operated by minority enterprises in the 38 buildings included in our review, we realized that such operations sometimes compete with the blind-vendor program.

For instance, the Atomic Energy Commission controls Government-owned, contractor-operated plants. At one such plant, a minority business was awarded a $4 million contract through the Small Business Administration's section 8a program[7] to supply and maintain vending concessions.

Commission regulations clearly give preference to blind persons in operating vending stands and further state that no arrangement for operating a vending stand can be made without first consulting the State agency for the blind. In the case previously cited, Commission officials met with State agency officials and explained why they did not believe it was feasible for a blind person to operate vending concessions. Because State agency officials did not make further inquiry, Commission officials concluded that they had complied with the regulation and proceeded to arrange for a minority business to be awarded a contract to operate vending concessions. At the time the contract was awarded, State agency officials contacted us to voice their concern that the minority business program was competing with the blind-vendor program.

In one Federal building in Philadelphia, a minority business was installed on the same floor with a previously established blind-vendor operation. The two operations were offering some of the same items for sale, such as pipe tobacco, candies, and snacks. In this case, neither the blind vendor nor the State agency complained about installing a minority business until it was authorized to sell items which the blind vendor had not been permitted to sell. Subsequently the minority business was required to cease selling these items.

In another case, a minority business was to begin operating in a building on a different floor from a blind-vendor operation. Because the business was to sell items also sold by the blind vendor, the State agency protested to GSA, which controls the building. As of June 30, 1973, the minority enterprise had not been opened for business.

Although the frequency of minority businesses being placed where blind vendors could be established or in competition with blind vendors is apparently low, it could increase as a result of increased emphasis on the minority enterprise program.

Other deterrents to the blind-vendor program

Several other factors have deterred the blind-vendor program. Individually, these factors do not pose a major problem, but collectively they could.

1. GSA has rejected plans to expand vending operations in building lobbies because of the problems which arise in maintaining an attractive appearance in the lobbies and because it is GSA's policy that the blind-vendor stands are intended to serve building tenants rather than the public.

2. GSA's current guidelines state that a building must have a population from 150 to 1,200 to support one vending stand. Building populations ranging from 4,000 to 6,000 could support two vending stands. However, we observed several locations where two or more vending stands were operating successfully even though the building had a population of less than 4,000. GSA officials admit that they should consider more than just building population in establishing a vending site. Yet, this criterion was used to refuse additional vending operations at locations which State agencies believed would support these operations.

3. Some employee associations operate "general-merchandise" stores which offer some items for sale that are also sold by blind vendors located in the same building.

Potential for increasing blind-vendor operations

The blind-vendor program has been relatively successful in Federal complexes. The potential for program expansion is limited but should be pursued. Equally important, however, is the need to maintain the degree of success already achieved.

State agency officials advised us that the number of stands could be increased in many locations or that existing stands could be expanded to sell more items. Program expansion will require not only State agency efforts but also the cooperation of Federal property owners or lessees, such as GSA and those Federal agencies engaged in promoting and administering the minority enterprise program. Further, strong continuing efforts will be needed from the State agencies if the current success of the program is to be maintained.

CHAPTER 6

Matters for consideration by the subcommittee

Before the blind-vendor program can be expanded, priorities among competing interests—the blind, minority enterprises, employee associations, and cafeteria operators—must be established.

In deliberating on whatever legislative or administrative actions need to be taken the Subcommitee may wish to consider:

1. The circumstances under which blind persons should be given preference in establishing and operating vending facilities.

2. That agencies do not always assign vending machine income as provided by the Randolph-Sheppard Act and use different methods when making assignments.

3. The extent States use set-aside funds, the differences in methods of computing blind vendors' contributions, and the activities for which set-aside funds can be used.

4. That Randolph-Sheppard Act does not require the program to be evaluated periodically or for reports to be submitted to the Congress by HEW or any other Federal agencies that control, operate, or maintain Federal property and approve installation of blind-vendor operations.

5. A requirement that HEW, under the authority vested in it by Executive Order No. 11609, review the rules and regulations of the various Federal agencies to insure that agencies adequately provide the preference that blind persons are entitled to in operating vending stands on Federal property.

6. The issue of HEW and the States having no recourse from Federal agency decisions regarding blind-vendor facilities on property that they control, which was brought out in hearings to amend the Randolph-Sheppard Act held before the Sub-

[7] Under this program, which was authorized by the Small Business Act (15 U.S.C. 631), the Small Business Administration is authorized to enter into procurement contracts with other Federal agencies and to subcontract the performance of these contracts.

committee on Handicapped Workers, Senate Committee on Labor and Public Welfare, in October and December 1971. The proposed amendments were not enacted into law, and as a result HEW and State agencies are still without recourse.

CHAPTER 7

Scope of review

Our review was directed toward obtaining the necessary information concerning vending operations on federally controlled property, as agreed upon with the Subcommittee. Reliable statistics were not available on the number of vending operations on federally controlled property, their operators, locations, the dollar volume of their business, or how net proceeds were used. Because of the large number of operations, it was necessary to select a sample to be reviewed.

With the agreement of the Subcommittee, we included in our sample the following locations, which represent different parts of the country and account for a significant number of vending operations:

Seven Federal agency headquarters in the Washington, D.C., area—HEW, U.S. Postal Service, DOD, Department of Agriculture, Department of State, Veterans Administration, Internal Revenue Service—and 13 District of Columbia Government buildings.

A total of 291 major postal facilities in the New York, Central, and Western Regions of the Postal Service.

Six military installations—Norfolk Naval Shipyard, Portsmouth, Virginia; Charleston Naval Base, South Carolina; Lackland Air Force Base, Texas; Fort Riley, Kansas; Camp Pendleton, California; and Fort Belvoir, Virginia.

Eight federally controlled buildings in Boston; Chicago; Fresno, California; Kansas City, Missouri; St. Louis; and San Francisco.

State licensing agencies for California, the District of Columbia, Illinois, Maryland, Massachusetts, Missouri, and Texas.

The licensing agencies were selected from States that were dispersed geographically and differed widely in population.

We observed vending operations at Federal locations; we used questionnaires to obtain data from all postal facilities selected and visited nine. We examined all pertinent records and documents made available to us by Federal, State, and commercial vending company officials. In some cases commercial vending companies could not, or would not, provide us with financial data we requested. Also, our questionnaires to Postal Service officials did not request financial data on blind vendors' operations. We discussed program operations with officials at HEW, DOD, GSA, the Postal Service, and other Federal agencies and also with officials from State licensing agencies and commercial vending companies.

APPENDIX I

NATIONAL SUMMARY OF STATISTICAL DATA FROM STATES' ANNUAL BLIND-VENDOR REPORTS FOR FISCAL YEARS 1971 AND 1972

	Fiscal year 1971	Fiscal year 1972	Percentage increase over previous year
Total number of stands	3,142	3,229	2.8
Federal locations	881	878	.3
Non-Federal locations	2,261	2,351	4.0
Public	1,391	1,436	3.2
Private	870	915	5.2
Total gross sales	$101,304,773	$109,847,028	8.4
Federal locations	30,436,007	32,213,449	5.8
Non-Federal locations	70,868,766	77,633,579	9.5
Total number of operators	3,452	3,583	3.8
Federal locations	986	1,005	1.9
Non-Federal locations	2,466	2,578	4.5
Net proceeds to operators	$20,611,157	$22,768,349	10.5
Federal locations	6,206,206	6,610,786	6.5
Non-Federal locations	14,404,951	16,157,563	12.2
Operators' annual average earnings	$6,516	$6,996	7.4

APPENDIX II

ACCUMULATIVE BLIND-VENDOR PROGRAM STATISTICS (1953-72)

Fiscal year	Average net earnings of operators	Number of operators	Number of vending stands	Gross sales (millions)
1953	$2,209	1,581	1,543	$20.6
1954	2,193	1,659	1,599	22.0
1955	2,345	1,721	1,664	23.5
1956	2,532	1,804	1,727	25.8
1957	2,654	1,924	1,830	28.9
1958	2,833	1,998	1,901	31.7
1959	3,354	2,111	1,982	34.8
1960	3,688	2,216	2,078	38.2
1961	3,900	2,332	2,174	42.0
1962	4,140	2,425	2,257	45.7
1963	$4,392	2,542	2,365	$49.5
1964	4,452	2,641	2,442	53.9
1965	4,716	2,806	2,574	59.4
1966	4,932	2,915	2,661	65.3
1967	5,244	3,117	2,807	71.5
1968	5,580	3,259	2,918	79.0
1969	5,868	3,341	3,002	86.4
1970	6,300	3,352	3,061	93.9
1971	6,516	3,452	3,142	101.3
1972	6,996	3,583	3,229	109.8

APPENDIX III

BLIND-VENDOR STANDS ON FEDERAL PROPERTY BY AGENCY GRANTING PERMIT FOR FISCAL YEAR 1972

Federal agency	Stands at beginning of year	New stands established during year	Stands closed during year	Stands at end of year
Agriculture, Department of	10	0	0	10
Air Force, Department of the	9	0	0	9
Army, Department of the	15	2	0	17
Atomic Energy Commission	15	1	1	15
Commerce, Department of	2	0	0	2
Defense, Department of	3	1	0	4
General Services Administration	456	15	15	456
Health, Education, and Welfare, Department of	44	2	2	44
Interior, Department of the	8	1	0	9
Navy, Department of the	14	2	0	16
Tennessee Valley Authority	9	0	1	8
Treasury, Department of the	7	2	0	9
U.S. Postal Service	237	7	16	228
Other	52	10	11	51
Total	881	43	46	878

APPENDIX IV

SCHEDULE OF STATE STAFFING DATA

State	State licensing agency	Nominee agency	Number of State licensing agency staff concerned with blind-vendor program: Professional	Number of State licensing agency staff concerned with blind-vendor program: Clerical	Total number of nominee agency staff
California	State Department of Rehabilitation-business enterprise program		21	10	
District of Columbia	D.C. Vocational Rehabilitation Administration	District Enterprise for the Blind	3	1	14
Illinois	State Division of Vocational Rehabilitation	Visually Handicapped Managers of Illinois	4	2	16
Maryland	State Division of Vocational Rehabilitation	Maryland Workshop for the Blind	(1)	(1)	9
Massachusetts	Massachusetts Commission for the Blind		5	1	

State	State licensing agency	Nominee agency	Number of State licensing agency staff concerned with blind-vendor program: Professional	Clerical	Total number of nominee agency staff
Missouri	Bureau for the Blind-Business Enterprises and Facilities for the Blind.		5	2	
Texas	State Commission for the Blind		12	1	
Total			50	17	39

[1] The State Division of Vocational Rehabilitation does not have any full-time employees for administering the vending stand program. However, the Division's Director of Services for the Blind, as one of his functions, coordinates the management and operation of all phases of the program.

APPENDIX V

SCHEDULE OF PROGRAM FUNDING FOR FISCAL YEAR 1972

State licensing or nominee agency	Total funding	Source of funding: Set-aside funds	State vocational rehabilitation funds	Federal funds	Unassigned vending machine income[1]	State funds for salaries	State general revenue funds	Miscellaneous[2]
California	$1,164,946	$526,806		$524,241				$113,899
District of Columbia	411,085	352,381			$9,592	$49,112		
Illinois	671,034	134,592		462,862			$73,580	
Maryland	332,043	232,088	$51,000		8,955		40,000	
Massachusetts	(3)	None				62,494		
Missouri	235,502	67,779	18,654	74,615		74,454		
Texas	395,926	124,664		271,262				

[1] Unassigned vending income is vending machine profits that have not been assigned to a specific operator or manager. Profits are sent to the licensing agency in the form of a donation and placed into a reserve account or into the set-aside account and are used to operate and administer the program.

[2] This category may include such items as repayments from loans to operators and adjustments.

[3] Massachusetts' financial records are not maintained so that all of the funds available for administering the vending stand program can be identified.

APPENDIX VI

FINANCIAL RESULTS OF NONAPPROPRIATED FUND ORGANIZATIONS' VENDING OPERATIONS AT 6 MILITARY INSTALLATIONS AND AT THE PENTAGON[1]

[In dollars]

	Vending machines: Norfolk	Charleston	Belvoir	Pendleton	Riley	Lackland	Pentagon	Total	Vending stands: Norfolk	Charleston	Belvoir	Pendleton	Riley	Lackland	Pentagon	Total	Grand total
Gross receipts:																	
Sales[2]	92,606	273,268	352,438	1,882,881		907,535	384,080	3,892,808	442,194		485,130	1,387,995		1,887,224	1,290,913	5,483,456	9,386,264
Commissions	158,135	6,608	94,451		214,753	368,871	48,377	891,195						8,837		8,837	900,032
Total receipts	250,741	279,876	446,889	1,882,881	214,753	1,276,406	432,457	4,784,003	442,194		485,130	1,387,995		1,896,061	1,290,913	5,502,293	10,286,296
Operating costs:																	
Cost of goods sold	54,369	221,749	272,620	[3] 710,418		648,566	192,040	2,099,762	304,323		233,946	[3] 898,747		870,064	413,092	2,720,172	4,819,934
Direct expenses	24,715	53,613	66,080	[3] 491,759	[3] 21,475	138,209	43,246	839,097	133,183		203,145	[3] 378,371		744,546	684,184	2,143,429	2,982,526
Other expenses (income)	(192)							(192)	1,930							1,930	1,738
Total expenses	78,892	275,362	338,700	1,202,177	21,475	786,775	235,286	2,938,667	439,436		437,091	1,277,118		1,614,610	1,097,276	4,865,531	7,804,198
Net receipts	171,849	4,514	108,189	680,704	193,278	489,631	197,171	1,845,336	2,758		48,039	110,877		281,451	193,637	636,762	2,482,098

[1] The financial information is for the most recent fiscal year for which records were available and in some cases is based on estimates.

[2] These figures do not include sales of commercial vending concerns which totaled over $3,200,000 from these sales; commissions of $900,000 were paid to nonappropriated fund organizations.

APPENDIX VII

RESULTS OF EMPLOYEE ASSOCIATION VENDING OPERATIONS AT SELECTED POSTAL FACILITIES FOR THE MOST CURRENT YEAR REPORTED[1]

	Vending machines: New York region	Central region	Western region	Total	Vending stand Central region[2]	Grand total
Gross receipts	$430,294	$1,376,477	$593,292	$2,400,063	$416,970	$2,817,033
Total expenses	150,741	444,784	195,762	791,287	368,824	1,160,111
Net receipts from vending operations	279,553	931,693	397,530	1,608,776	48,146	1,656,922
Other income (expenses)[3]	80,152	−186,051	73,143	−32,756		−32,756
Net receipts	359,705	745,642	470,673	1,576,020	48,146	1,624,166
Distribution of net receipts:						
Employee benefits	390,882	675,819	525,272	1,591,973		1,591,973
Retained earnings	−74,977	32,368	−60,145	−102,754	48,146	−54,608
Contributions to blind (net)	43,800	37,455	5,546	86,801		86,801
Total	359,705	745,642	470,673	1,576,020	48,146	1,624,166

[1] This schedule is based on data furnished to GAO without audit and in some cases includes estimates.

[2] This stand was operated by the Chicago Post Office Cafeteria Committee which is separate from the employee welfare association. The Cafeteria Committee lost money during fiscal year 1972.

[3] Included net receipts of $12,400 from 2 employee-operated vending stands on which we did not obtain further financiali nformation.

APPENDIX VIII

FEDERAL AND DISTRICT OF COLUMBIA GOVERNMENT BUILDINGS SELECTED FOR REVIEW

Location	Number of employees	Square footage	Vending operations: Controlled by the blind — Vending stands	Vending operations: Controlled by the blind — Vending machines	Vending operations: Controlled by others — Vending stands	Vending operations: Controlled by others — Vending machines
General Services Administration:						
Owned buildings:						
Washington, D.C.:						
State Department headquarters	6,809	1,614,565	2	28	3	61
Internal Revenue Service headquarters	4,000	779,715	2		1	23
HEW complex in Southwest, D.C.:						
Bldg. No. 6	2,227	401,000	1	11	1	12
Bldg. No. 8	1,125	344,615			1	7
North Bldg	3,743	624,564	3	21	1	
South Bldg	1,574	318,465	2	9		
Veterans' Administration headquarters	2,666	332,360	1	3	1	5
Lafayette Bldg	1,251	460,970			1	5
Department of Agriculture:						
North Bldg	1,040	192,780		13	1	1
South Bldg	7,100	1,267,325	1	6	5	25
Liberty Loan Bldg	600	98,630	1	10		
Other cities:						
Kansas City, Mo., 601 E st	4,756	795,432	1	72		
San Francisco, Federal Building, 450 Golden Gate Avenue	4,700	940,030	2	16		
Chicago, Everett McKinley Dirksen	3,488	773,860	2	34		6
Boston, J. F. K. Building	3,860	618,889	5	4		
Total	48,939	9,563,200	23	227	15	145
Leased buildings:						
HEW and Food and Drug Administration, Boston	105	29,849				5
210 North 12th St., St. Louis	2,205	348,920	1	26		
Internal Revenue Service Center, Fresno, Calif	2,700	422,837	1	4		79
300 South Wacker, Chicago	1,895	290,030	1			14
Total	6,905	1,091,636	3	30		98
National Institutes of Health: Owned buildings: Bethesda, Md.:						
Building:						
10	3,470	1,128,651	1			41
13	632	222,221	2			10
31	2,409	485,850	1			37
36	462	173,942				2
37	758	207,995				11
33	464	227,944	1			3
Total	8,195	2,446,603	5			104
District of Columbia Government:						
Owned buildings:						
District building	1,025	184,710	1		1	3
Municipal Center	2,478	446,054	1	9	1	6
451 Pennsylvania Ave., NW	181	97,868		1	1	9
499 Pennsylvania Ave., NW	494	89,006	1	2		1
District of Columbia General Hospital	2,200	1,000,000	1	10		13
Total	6,378	1,817,638	4	22	3	37
Leased buildings:						
415 12th St., NW	1,204	216,701		[1]		
601 Indiana Ave., NW	495	89,000		[1]		1
613 G—614 H Sts., NW	1,933	314,000		[1]		
1207 Taylor St., NW	129	14,500		[1]		2
1321 to 1331 H St., NW	977	175,924		[1]		6
500 1st St., NW	553	117,225		[1]		[1] 3
122 C St., NW	400	101,771		[1]		[1] 3
801 North Capitol St., NE	425	68,000		[1]		
Total	6,116	1,097,121				15

[1] Financial data for those vending machines was not readily available. The proceeds accrue to a private concessionaire.

By Mr. ABOUREZK (for himself, Mr. McGOVERN, and Mr. HATHAWAY):

S. 2583. A bill to provide housing for persons in rural areas of the United States on an emergency basis and to amend title V of the Housing Act of 1949. Referred to the Committee on Banking, Housing and Urban Affairs.

Mr. ABOUREZK. Mr. President, I am introducing today for myself and for Senators McGOVERN and HATHAWAY, the Rural Housing Act of 1973. Last July Senator McGOVERN and I, along with 23 other Senators introduced S. 2190 which when enacted will provide a new mechanism and a new approach to housing our low-income rural citizens. There was apparently at that time some misunderstanding as to our purpose. I want to make clear now that S. 2190 is in no way intended to conflict with the housing programs operated by the Farmers Home Administration. It is to supplement them. I have great respect for FmHA and it is because of their efforts that this country has any rural housing program at all. Nonetheless, FmHA is bound by the legislation we write and that legislation needs some modification if it is to continue to be this Nation's principal vehicle for providing rural housing.

The bill I introduce today is S. 2190 plus a second title containing a series of amendments to title V of the Housing Act of 1949. Title V is administered by the Farmers Home Administration in the Department of Agriculture, and is the only current legislation which even begins to meet the housing needs of rural America. And I say "begins" advisedly, for the legislation has been but a start toward providing housing for very low income families. These amendments expand that legislation so that it may more effectively serve rural families. I ask unanimous consent that a section by section analysis of the bill be inserted in the RECORD following my remarks.

Many, indeed most, of the amendments in this bill were adopted by either the Senate or the House in last year's ill-fated omnibus housing bill, and I shall not take the time to speak of those. There are however two provisions which are new, and important:

First. Section 520 is amended to permit FmHA programs to operate in communities of up to 25,000. I believe this expansion of jurisdiction is essential if low-income residents of communities between 10,000 and 25,000 are to have even a possibility of housing. HUD and the Federal Housing Administration simply do not operate in these small cities and towns. And Farmers Home is limited to communities of under 10,000. Families who fall into this "gap" in housing legislation are left without any possibility of assistance.

Second. The other change—in section 521—is to provide, for very low-income families, a deeper subsidy than is currently available. It would permit on home ownership loans deferring repayment of principal and interest on up to half the amount of a loan until the first half is repaid. There is nothing new in this con-

cept—it has been used in Europe for years—but it has not been utilized in this country. It is not a grant. The borrower will repay every cent borrowed plus interest of at least 1 percent, depending upon income.

Mr. President, there are nearly 3 million families in rural areas and towns of under 25,000 who are in need of decent housing. Over a million and a half of those families have incomes of less than $4,000 a year, and a very high proportion of that group is made up of our senior citizens. This bill addresses itself to those families.

Mr. President, I ask unanimous consent that a title by title analysis of the bill, and the bill itself, be printed in the RECORD at this point.

There being no objection, the analysis and bill were ordered to be printed in the RECORD, as follows:

A SECTION-BY-SECTION ANALYSIS OF THE EMERGENCY RURAL HOUSING ACT OF 1973

TITLE I

Section 101—Short title

Emergency Rural Housing Act of 1973.

Section 102—Findings

Congress finds that an emergency situation exists in rural areas with regard to housing for low-income individuals.

Section 103—Definitions

Section 104—Establishment and duties

Provides for the establishment of an independent federal agency called the Emergency Rural Housing Administration. Defines the ERHA's duties as providing minimal housing facilities to eligible persons in rural areas and small communities and to do so within five years to the extent possible. An eligible person as defined in Section 3 is an individual or family which lives or desires to live in a rural area or community and cannot with reasonable certainty obtain minimum housing facilities by any means other than from assistance under this Act within two years of the date of application for assistance. Provides for an Administrator of the ERHA by adding a new clause (58) to 5 U.S.C. 5314 to be appointed by the President by and with the advice and consent of the Senate. Provides that the Administrator's duties may not be transferred to any other department, agency, or instrumentality of the United States.

Section 105—Powers

Provides for the powers of the Administrator of the ERHA.

Section 106—Home ownership

Authorizes the Administrator to make loans to eligible persons for the acquisition of land and the construction of minimal housing facilities or for the acquisition or rehabilitation of existing facilities. Provdes that at least fifty percent of such loan shall be amortized over a period not exceeding forty years and at an interest rate of not less than one percent per year. The remaining balance of such a loan shall be evidenced by a note secured by a second mortgage which becomes payable and interest bearing when and to the extent that the borrower's ability to repay exceeds that required to retire the first note at the maximum rate of interest or upon the sale or other disposition of the property. Provides that the interest rate, the amount of deferred principal and the other terms and conditions of such loans will be set by the Administrator taking into account the adjusted income of the eligible person involved and precludes requiring a borrower to pay more than twenty percent of his adjusted annual income on principal, interest, taxes and insurance except when the borrower chooses to in order to qualify for the ownership program.

Authorizes grants of up to $3,500 to homeowners unable to repay a loan for the purpose of rehabilitating housing

Section 107—Housing developments

Authorizes the Administrator to acquire land and develop housing projects which are to be sold or rented under the Act

Section 108—Rental facilities

Authorizes the Administrator to finance all or part of the acquisition, construction, rehabilitation, operation and maintenance of minimal housing facilities to be rented by eligible persons, water and sewerage facilities for such housing, and related community facilities for such housing. Provides that the rental payments of the occupants and the amount of rent assistance provided shall bear a reasonable relationship to the income of the eligible persons taking into account other budget needs and in no case should any rent payment (including the reasonable cost of heat, water and light) exceed twenty-five percent of the person's adjusted income. Provides that, when feasible, lease agreements should include an option to purchase at terms consistent with Section 6.

Financing for the acquisition, construction and rehabilitation of rental and related facilities shall be in the form of a non-interest bearing loan amortized over a forty-year period and repayable in annual installments to the extent that income attributable to the project exceeds operating and maintenance costs.

Authorizes the Administrator to enter into annual contribution contracts with the owners of rental and related facilities for the purposes of paying for any amounts by which the costs of operating and maintaining such facilities exceed income attributable to it. Such contracts may not exceed $1 billion per annum in the aggregate.

Section 109—Local agency agreements

Provides for the administration to enter into contracts with State-Chartered Rural Housing organizations. Such contracts shall authorize the Rural Housing organizations to determine eligibility of persons seeking assistance under the Act and make and service loans, grants, and contracts under Sections 6, 7, and 8 of the Act. The Rural Housing organization will be required to serve all eligible areas and persons within its designated jurisdiction. The Administrator is prohibited from advancing funds to any Rural Housing organization within a state for the purpose of making loans under the Act until all eligible areas within that state are within the jurisdiction of Rural Housing organizations. If after one year of the passage of the Act, a state has failed to charter organizations or the Administrator finds that any organization in incapable of carrying out or unwilling to carry out the purposes of this Act, then the Administrator shall establish in that state or area a comparable organization. Rural Housing organizations shall be governed by a board of directors, at least one-half of whom shall be persons eligible for or receiving assistance under the Act. Such boards of directors shall be elected by persons eligible for or receiving assistance under the Act. Interim boards of directors may be established for a period not to exceed one year from the date of incorporation for organizational purposes.

Section 110—Limitations and conditions

Provides that the Administrator shall not require the relocation of any eligible person in order to engage in or to facilitate the economic development of any area. Provides that construction or rehabilitation undertaken must be designed to require minimum maintenance for at least fifty years except when the Administrator finds that less permanent housing is in accordance with the Act; and be in accordance with plans developed with the active participation of the eligible persons involved.

Section 111—Priorities

Establishes the priorities that insofar as is practicable, persons with the lowest adjusted incomes shall be served first, and to the maximum extent feasible, ownership rather than rental occupancy will be provided.

Section 112—Annual report

Provides that the Administrator shall prepare and transmit to the Congress and the President an annual report of the operation and activities of the Agency.

Section 113—Borrowing authority

Establishes a Rural Housing Investment Fund.

Provides that for purposes of this Act the Administrator is authorized to issue notes or other obligations to the Secretary of the Treasury in such sums as may be necessary in such forms and denominations, bearing such maturities, and subject to such terms and conditions as may be prescribed by the Secretary and bear interest at a rate determined by the Secretary taking into consideration the current average interest rate on outstanding marketable obligations of the United States during the month preceding the issuance of the notes or other obligations. Authorizes the Secretary and directs him to purchase such notes and for that purpose to use as a public debt transaction the proceeds for the sale of any securities issued under the Second Liberty Bond Act and extends the purposes for which securities may be issued under that Act to include any purchase of such notes and obligations under this Act. Authorizes the Secretary to sell at any time any of the notes or other obligations acquired by him under this subsection and provides that all redemptions, purchases and sales by the Secretary of such notes or other obligations shall be treated as a public debt transaction of the United States.

All amounts so borrowed and all other receipts, collections and proceeds shall be deposited in the Rural Housing Investment Fund. The Administrator is authorized to utilize the fund to make loans for homeownership under Section 6, to acquire land and engage in the development of housing projects under Section 7, to make loans for the acquisition, construction, and rehabilitation of rental facilities under Section 8, and to protect the assets of the Fund.

Section 114—Appropriations

Authorizes an annual appropriation to reimburse the Rural Housing Investment Fund in an amount by which nonprincipal payments made from the Fund exceed interest received from borrowers each year.

Authorizes an appropriation in such amounts as may be necessary to administer the Act including the cost of administration incurred by Rural Housing organizations.

Authorizes an appropriation not to exceed $1 billion for rehabilitation grants to homeowners unable to repay a loan. Such amounts appropriated are to remain available until expended.

Authorizes an appropriation in such amounts as may be necessary to meet obligations for annual contribution contracts entered into by the Administration under Section 8 of the Act.

Authorizes an appropriation not to exceed $500 million, for the purpose of retiring notes and other obligations issued by the Administrator under Section 13 of the Act.

TITLE II

Section 201

501(a)(1). Expands the authority of the Secretary of Agriculture to enable him to extend benefits under Title V to Guam.

Section 202

501(a)(4)(b), (c) and (d). Would allow the Secretary to refinance indebtedness for eligible applicants when failure to refinance would likely result in the applicant's loss of his necessary dwelling or essential farm

buildings; or if a loan for improvement, alteration or repairs is made, failure to refinance the prior debt would cause a hardship for the applicant.

Section 203

501(b)(2). Extends the authority of the Secretary to make loans to owners of leaseholds to all programs under this title.

Section 204

501(e). A new subsection would require the Secretary to establish a system of escrow accounts to enable borrowers to better budget for the payments of taxes, insurance, and other expenses. The subsection also provides that the Secretary shall notify a borrower in writing when his loan payments are overdue.

Section 205

501(a). Authorizes the leasing of Section 502 units to a housing authority to prevent the borrower from losing his home; or to provide eligibility where the borrower has insufficient income.

Section 206

504(a). Expands the amount of a loan and grant or combination of the two for rehabilitation under this section to maximum amount of $5,000. It limits the term of the loan (with the exception of deferred principal payments under Section 521) to 20 years. It provides that loans of less than $2,500 need not be secured and should be evidenced by a promissory note.

Section 207

506(d) and (e). Expands the Secretary's authority to carry out a program of research, study, and analysis of farm housing to include all rural housing.

Section 208

507. Expands the authority of the Secretary to grant a "veteran's preference" to applicants under this title to include veterans of the armed services during the Vietnam era.

Section 209

508(b). Restricts the use of county committees, which primarily consist of farmers, to determine the eligibility and amount of loans of applicants for farm ownership loans or other loans dealing with farming operations.

Section 210

513(a), (b), (c) and (d). Increases from $50,000,000 to $100,000,000 the authorization for direct loans and grants under Section 504 and extends the authorizing period from October 1, 1973, to October 1, 1975. Increases from $50,000,000 to $200,000,000 the authorization for grants under Section 516 and extends the authorizing period from October 1, 1973 to October 1, 1975.

Increases from $250,000 per year to $5,000,000 per year for research and study programs under Section 506 and extends the authorizing period from October 1, 1973, to October 1, 1975.

Section 211

515(b)(1), and (d)(4). Eliminates the $750,000 maximum loan and includes provision for financing of initial operating expenses of up to 2% of development costs.

Section 212

520. Would expand the jurisdiction for Title V programs to include all areas outside a Standard Metropolitan Statistical Area and any open country or places of less than 25,000 persons within a Standard Metropolitan Statistical Area. The term open country is clarified.

Section 213

517(n). Provides a new authority for lowering interest rates where state housing finance agencies purchase notes at reduced interest.

Section 214

521(a), (b), and (c). Would broaden and deepen the subsidy mechanism authority of the Secretary for Section 502 and 504 loans, insured under this Section, by allowing up to 50 percent of the loan for 502 and 504 to be noninterest bearing and non-amortizable for certain period of years. This deferred principal would become interest bearing and amoritizable for periods of 33 years for Section 502, 20 years for Section 504, upon full payment of the nondeferred portion of the loan. The deferred portion would also become due and payable in the event that the mortgaged property or any interest in the property is transferred or ceases to be occupied by the borrower or default occurs. Provides supplemental assistance payments for loans made under Sections 514 and 515 in order to bring rentals within 25% of income. Allows for supplemental payment assistance on up to 100% of Farm Labor Housing units financed under Section 514. Would provide that the Rural Housing Insurance fund shall be reimbursed by annual appropriations by the amount that payments made out of the fund exceed receipts paid into the fund.

Section 215

523(b)(1) (b), (f) and (h). Provides that the Secretary may provide loans from the Self-Help Housing Land Development fund which are noninterest bearing to recipients of grants under this section who are providing technical assistance for Mutual-Help Housing. These loans shall be repaid upon the expiration of the grant for technical assistance and are to be used as contingency land revolving accounts to enable the grantees to acquire and/or option land, and do preliminary development work such as engineering, surveying and otherwise preparing documents for development loans, or in cases of small developments to do all development work with such funds. Requires the Secretary to establish rules and regulations governing the processing and review of grant applications.

Section 216

524(a). Changes the purposes for which rural sites loans can be used to include sale of developed lots to applicants eligible for assistance under any Section of the Housing Act of 1949, as amended, or any other law which provides housing assistance. Limits interest rate to 5% per annum.

Section 217 (A new section)

525(a). Would authorize the Secretary to make grants to or contract with nonprofit corporations, agencies, institutions, organizations, and other associations to pay for the costs of providing programs of technical and supervisory assistance which would aid needy low-income families in benefiting from any federal, state or local housing program in rural areas.

525(b). Would authorize the Secretary to make seed loans to nonprofit organizations for the purpose of covering necessary expenses prior to construction which would be recoverable from permanent financing on the project. He is authorized to set the terms and conditions of such loans and may cancel any part or all of a loan which cannot be recovered from the proceeds of any permanent financing.

525(c). Would authorize $10,000,000 for any one year under subsection (a) and $20,000,000 under subsection (b) and that any amounts appropriated shall remain available until expended and any amounts authorized but not appropriated in any year may be appropriated in any succeeding year.

525(d). Would establish the Low Income Sponsor Fund for any funds appropriated for use under subsection (b) and provide that any funds therein shall be available without fiscal year limitation and that sums received from repayment of loans from the fund shall be deposited in such fund.

Section 218 (A new section)

526 (a), (b), (c) and (d). Authorizes the Secretary to make loans for condominium housing including family purchase of existing units and the construction or rehabilitation of multifamily condominium projects in rural areas.

Section 219 (A new section)

527 (a) and (b). Would authorize the Secretary to insure titles to land using funds from the Rural Housing Insurance fund which, because of remote outstanding claims or encumbrances on title, the owner thereof is unable to acquire insurance from private title insurance companies.

S. 2583

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

SECTION 101. This title may be cited as the "Emergency Rural Housing Act of 1973".

FINDINGS

SEC. 102. The Congress finds that—

(1) after more than three decades of Federal activity in the housing field and more than two decades after the enactment of the Housing Act of 1949 which pledged this Nation to a decent home and suitable living environment for every American family, there are millions of substandard, crowded, and otherwise deficient dwelling units which lack running water and sanitation facilities essential to health and decency;

(2) more than half of these units are in nonmetropolitan areas;

(3) none of the existing housing agencies, public or private, function adequately in meeting the housing needs of the poorest people in small towns and rural areas;

(4) the administrative funds and grant and lending authorities of Farmers Home Administration are inadequate to the task, and its authorized capacity to subsidize dwellings falls far short of that required to provide for the poor;

(5) public housing exists in little more than token quantities in small towns and rural areas; and public housing legislation presently does not permit a subsidy adequate to meet the needs of the poorest of the poor;

(6) despite the moving rhetoric of the last two decades, the authority and funds to satisfy the housing needs of low-income families are not available;

(7) existing agencies operating under existing authorities could not meet the needs of millions of the rural poor even if all restraints on administrative funds were lifted, nor would they meet those needs if there were no ceiling placed on grant and loan funds; and

(8) the ill health and human degradation that flow from this continuing neglect and denial of responsibility call for emergency action.

DEFINITIONS

SEC. 103. For the purpose of this Act—

(1) "Administration" means the Emergency Rural Housing Administration established under Section 104 of this Act;

(2) "Administrator" means the Administrator of the Administration;

(3) "adjusted income" means the total income of an individual or family reduced by—

(A) 5 per centum of that income;

(B) $300 for that individual or for each member of that family; and

(C) $1,000 for that individual if he is physically disabled or mentally retarded or for each member of that family who is physically disabled or mentally retarded;

(4) "area responsibility agreement" means an agreement between the Administrator and a rural housing organization or other organization to provide minimal housing facilities for all eligible persons in an area;

(5) "eligible person" means an individual or family which;

(A) lives or desires to live in a rural area or small community, and

(B) cannot with reasonable certainty obtain minimum housing facilities by any means other than assistance under this Act within two years after the date of application for assistance under this Act;

(6) the term "minimal housing facilities" means a safe, weather-proof dwelling which has running potable water, modern sanitation facilities including a kitchen sink, toilet, and shower or tub, and which meets such other requirements as may be established by the Administrator with respect to square footage and other facilities or standards;

(7) "rural area" means any open country or any other such place in the United States; and

(8) "small community" means any place, town, village, or city which has a population not in excess of twenty-five thousand people; and

(9) "rural housing organization" means any public or private-nonprofit organization or instrumentality which meets such criteria as the Administrator shall by regulation establish, and includes any such agency which exists under any federal, state, or local law for purposes not inconsistent with this Act, and any such organization established hereafter for any such purpose.

ESTABLISHMENT AND DUTIES

SEC. 104. (a) There is established as an independent agency the Emergency Rural Housing Administration. The management of the Administration shall be vested in an Administrator who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) It shall be the duty of the Administration to provide minimal housing facilities for all eligible persons in rural areas and small communities and to do so to the extent possible within a five-year period. The duties and powers of the Administration shall not be transferred to any other department, agency, or instrumentality of the United States.

(c) Section 5314 of title 5, United States Code, is amended by adding at the end thereof the following new clause:

"(60) Administrator, Emergency Rural Housing Administration."

POWERS

SEC. 105. The Administration shall have the power—

(1) to sue and be sued, and complain and defend, in its name and through its own counsel;

(2) to adopt, amend, and repeal such rules and regulations as may be necessary;

(3) to lease, purchase, or acquire by condemnation or otherwise, and own, hold, improve, use, or otherwise deal in and with, any property, real, personal, or mixed, or any interest therein, wherever situated;

(4) to accept gifts or donations of services, or property, real, personal, mixed, tangible or intangible, in aid of any of the purposes of the Administration;

(5) to sell, convey, mortgage, pledge, lease, exchange, and otherwise dispose of its property and assets;

(6) to appoint such officers and employees as may be required without regard to the provisions of title 5, United States Code, governing appointments in the competitive service; and

(7) to enter into contracts, execute instruments, incur liabilities, and do all things which are necessary or incidental to the proper management of its affairs.

HOMEOWNERSHIP

SEC. 106. (a) The Administration is authorized to make loans to eligible persons to finance the acquisition of land and the construction thereon of minimal housing facilities, or to finance the acquisition or rehabilitation of existing facilities in accordance with minimum housing facilities standards.

(b) At least 50 per centum of the principal amount of any loan made under this subsection shall be amortized over a period of not more than forty years, shall bear interest at a rate of not less than 1 per centum per year, and shall be secured by a first mortgage. The remainder of such principal amount may be evidenced by a note secured by a second mortgage which becomes payable and interest bearing only when and to the extent that the borrower's ability to repay exceeds that required to retire the first note at the maximum interest rate or upon the sale or other disposition of the property financed by the loan. The Administration shall determine the percentage rate, the amount of the principal deferment, and the other terms and conditions of any such loan, taking into account the adjusted income of the eligible person involved.

(c) The Administration may not require an eligible person who is a borrower to pay more than 20 per centum of his adjusted annual income on principal, interest, taxes, and insurance but a borrower, in order to qualify for ownership may voluntarily agree to pay more.

(d) The Administration is authorized to make rehabilitation grants not in excess of $3,500 to owners who occupy substandard housing and whose income is too low to repay a loan on terms and conditions described in this section.

HOUSING DEVELOPMENTS

SEC. 107. The Administrator is authorized to acquire land and engage in the development of housing projects to be sold under section 6 or rented under section 8 of this Act.

RENTAL FACILITIES

SEC. 108. (a) The Administrator is authorized to provide financing to rural housing organizations which meet the requirements of section 109, for all or any part of the acquisition, construction, rehabilitation, operation, and maintenance of (1) minimal housing facilities in rural areas and small communities to be rented by eligible persons, (2) water and sewer facilities for such housing facilities, and (3) related community facilities for such housing facilities.

(b) Financing for the acquisition, construction, and rehabilitation of rental units and related facilities shall be in the form of a non-interest-bearing loan and shall be repayable (1) in annual installments by the borrower during a forty-year period from the making thereof, only to the extent that the income of the borrower attributable to the rental units and related facilities exceeds reasonable and necessary costs (such as taxes, utilities, maintenance, and other management and operating costs approved by the Administration), or (2) in the event that the rental units and related facilities are sold under section 106 or otherwise disposed of.

(c) The Administrator is authorized to enter into contracts for annual assistance payments with a borrower under this section. Such contracts shall provide for payments to borrowers in amounts which do not exceed the difference between the total costs attributable to the rental project (taxes, utilities, maintenance, and other such management and operating costs) and total revenues accruing to the rental project. The aggregate amount of such contracts shall not exceed $1,000,000,000 per annum.

(d) Rental payments required from, and the amount of assistance attributable to, any eligible person shall bear a reasonable relationship to the income of the eligible person, taking into account reasonable needs for food, clothing, medical care, education, and other necessities as determined by the Administration. In no case shall any such payment, including the reasonable cost of heat, water, and light, exceed 25 per centum of the adjusted income of the eligible person.

(e) Any lease or other occupancy agreement for facilities under this section shall include whenever feasible an option to buy in accordance with the provisions of section 106 of this Act.

LOCAL AGENCY AGREEMENTS

SEC. 109. (a) (1) To carry out the purposes of this Act, the Administrator shall enter into area responsibility agreements with State designated and chartered rural housing organizations. Such agreements shall require that designated organizations serve an area of sufficient size and housing need to insure efficient production and reasonable economy in management. The service area of such an organization shall have geographic unity.

(2) Such organizations shall, pursuant to contracts with the Administrator, and in accordance with criteria established by him, determine the eligibility of persons seeking assistance under this Act; make and service loans and grants under section 106 of this Act; acquire land and develop housing projects under section 107 of this Act; own and operate, or make and service loans to and enter into contracts with public or private nonprofit organizations to own and operate, rental housing and related facilities under section 108 of this Act.

(3) Contracts entered into by the Administrator with any rural housing organization shall include, but not be limited by the following: the rural housing organization shall—

(A) serve all eligible areas and eligible persons within its designated jurisdiction;

(B) publish and utilize a standardized procedure for the lodging of tenant and borrower grievances and for tenant and borrower appeal of organization decisions;

(C) establish tenant advisory councils and recognize tenant organizations; and

(D) regularly schedule public hearings on organization plans and policy.

(4) The Administrator shall not advance funds for purposes of making loans under this Act to any rural housing organization in any State unless he determines that all areas in the State eligible for assistance under this Act will be within the jurisdiction of such an organization and that all such organizations will enter into area responsibility agreements.

(b) (1) Rural housing organizations shall be chartered for the purpose of contracting with the Administrator in order to carry out the purposes of this Act. Each organization shall be empowered:

(A) to lease, purchase, or otherwise acquire, and own, hold, improve, use, or otherwise deal in and with, any property, real, personal, or mixed, or any interest therein, wherever situated; to accept gifts or donations of services, or property, real, personal, mixed, tangible, or intangible, in aid of any of the purposes for which the organization is established;

(B) to sell, convey, mortgage, pledge, lease, exchange, and otherwise dispose of its property and assets;

(C) to sue and be sued, and complain and defend in its name through its own counsel;

(D) to enter into contracts, execute instruments, incur liabilities, and do all things which are necessary or incidental to the proper management of its affairs.

(2) Such an organization shall be controlled by a board of directors, of which a majority of the directors shall be persons receiving or eligible for assistance under this Act. Such majority shall be chosen annually in democratically conducted elections with any person residing within the jurisdiction of the organization who is receiving assistance or is eligible for assistance under this Act being eligible to vote in such election. The board shall fairly represent the geographic area of the jurisdiction of the organization.

(3) Interim boards of directors may be established for organizational purposes but

such boards must be replaced in a manner established in paragraph (2) within one year of the execution of the contract with the Administrator.

(c) When a State has failed to establish organizations described in this section within one year after the enactment of this Act, or the Administrator finds that any organization which is established is incapable of carrying out or unwilling to carry out this Act, then the Administrator shall establish in that State or area, a comparable organization to carry out this Act.

(d) The Administrator shall have access to the books or records, and any other papers of any organization which enters into an area responsibility agreement in order to insure that such organization is at all times operating in compliance with the provisions of this Act.

LIMITATIONS AND CONDITIONS

SEC. 110. (a) The Administrator may not require, as a condition of assistance under this Act, the relocation of any eligible person in order to engage in or to facilitate the economic development of an area.

(b) Any construction or rehabilitation undertaken with funds authorized under this Act shall—

(1) be designed to require minimum maintenance over a useful life of not less than fifty years: Provided, That this limitation shall not apply to new or rehabilitated housing if the Administrator finds that less permanent housing is in accordance with the basic purposes of this Act;

(2) be in accordance with plans developed with the active participation of the eligible persons involved.

PRIORITIES

SEC. 111. (a) The Administrator shall, insofar as is practicable, furnish assistance under this Act to eligible persons with the lowest adjusted incomes first.

(b) To the maximum extent feasible, the Administrator shall provide for homeownership rather than rental occupancy.

SEC. 112. The Administrator shall, within sixty days after the end of each fiscal year, prepare and transmit to the Congress and the President an annual report of the operation and activities of the Administration. Such report shall contain, but not be limited to, the long range and annual goals, progress toward the attainment of those goals by area, and any problems which are being encountered in fulfilling the purposes of this Act.

BORROWING AUTHORITY

SEC. 113. (a) There is hereby established the Rural Housing Investment Fund (hereinafter referred to as the "fund") which shall be used by the Administrator for carrying out the provisions of this Act. The Administrator is authorized to issue to the Secretary of the Treasury notes or other obligations in such sums as may be necessary to carry out the purposes of this Act, in such forms and denominations, bearing such maturities, and subject to such terms and conditions as may be prescribed by the Secretary of the Treasury. Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average interest rate on outstanding marketable obligations of the United States during the month preceding the issuance of the notes or other obligations. The Secretary of the Treasury is authorized and directed to purchase any notes and other obligations issued hereunder and for that purpose he is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, and the purposes for which securities may be issued under that Act are extended to include any purchase of such notes and obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States. All amounts borrowed under this section by the Administrator and all receipts, collections, and proceeds received by the Administrator under this Act shall be deposited in the fund.

(b) The Administrator shall utilize the fund—

(1) to make loans for homeownership under section 106 of this Act;

(2) to acquire land and engage in the development of housing projects under section 107 of this Act;

(3) to finance the acquisition, construction, and rehabilitation of rental housing and related facilities under section 108(b) of this Act; and

(4) to pay taxes, insurance, prior liens, expenses necessary to make fiscal adjustments in connection with the application and transmittal of collections, and other expenses and advances to protect the security for loans and grants made under this section and to acquire such security property at foreclosure sale or otherwise.

APPROPRIATIONS

SEC. 114. (a) There shall be credited to the Rural Housing Investment Fund, by annual appropriations, the amounts by which nonprincipal payments made from the fund to the Secretary during each fiscal year exceed interest received from borrowers each year.

(b) There are authorized to be appropriated such sums as may be necessary to administer the provisions of this Act including the cost of administration incurred by rural housing organizations.

(c) There are authorized to be appropriated to the fund such sums, not to exceed $1,000,000,000, as may be necessary for grants under section 106 (d) of this Act, such sums to remain available until expended.

(d) There are authorized to be appropriated such sums as are necessary to meet obligations for annual assistance payments contracts entered into by the Administration under section 108(c).

(e) There is authorized to be appropriated not to exceed $500,000,000 in each fiscal year, reduced by any amounts paid into the Rural Housing Investment Fund in each such year, for repayment of principal on loans made by the Administrator under this Act, to be applied to the retirement of notes or other obligations issued by the Administrator under section 113(a) of this Act.

TITLE II

Extension of rural housing program to Guam

SEC. 201. Section 501(a)(1) of the Housing Act of 1949 is amended by striking out "and the Virgin Islands" and inserting in lieu thereof, "the Virgin Islands, and Guam,".

Refinancing of indebtedness for certain eligible applicants

SEC. 202. Section 501(a)(4) of the Housing Act of 1949 is amended—

(1) by adding after the comma at the end of clause (B) the following: "or, if combined with a loan for improvement, rehabilitation, or repairs and not refinanced, is likely to cause a hardship for the applicant."

(2) by striking out clauses (C) and (D).

Loans to leasehold owners under all rural housing programs

SEC. 203. Section 501(b)(2) of the Housing Act of 1949 is amended by striking out "sections 502 and 504" and inserting in lieu thereof, "this title".

Escrow accounts for periodic payments of taxes, insurance, and other expenses

SEC. 204. (a) Section 501 of the Housing Act of 1949 is amended by adding at the end thereof the following new subsection:

"(e) The Secretary shall establish procedures whereby borrowers under this title may make periodic payments for the purposes of taxes, insurance, and such other necessary expenses as the Secretary may deem appropriate. Such payments shall be held in escrow by the Secretary and paid out by him at the appropriate time or times for the purposes for which such payments were made. The Secretary shall notify a borrower in writing when his loan payments are delinquent."

(b) The second sentence of section 502 (a) of such Act is amended by inserting before the period at the end thereof the following: "and upon the borrower prepaying to the Secretary as escrow agent, on terms and conditions prescribed by him, such taxes, insurance, and other expenses as the Secretary may require in accordance with section 501(e)".

(c) Section 517 of such Act is amended—

(1) by striking out "as it becomes due" in the first sentence of subsection (d);

(2) by striking out "prepayment", and "prepayments" each place it appears, in subsection (j)(1) and inserting in lieu thereof "payment" and "payments", respectively; and

(3) by inserting before the semicolon at the end of subsection (j)(1) the following: "or until the next agreed annual or semiannual remittance date".

SEC. 205. Section 501(a) of the Housing Act of 1949 is amended by adding at the end thereof the following: "The Secretary may provide for the leasing of units financed under this section pursuant to section 23 of the Housing Act of 1937 when he determines that by so doing it would prevent a borrower from losing his home; or it would provide eligibility for a borrower under this section who otherwise has insufficient income.

Rehabilitation loans and grants

SEC. 206. Section 504(a) of the Housing Act of 1949 is amended to read as follows:

"(a) In the event the Secretary determines that an eligible applicant cannot qualify for a loan under the provisions of section 502 and 503 and that repairs or improvements should be made to a rural dwelling occupied by him, in order to make such dwelling safe and sanitary and remove hazards to the health of the occupant, his family, or the community, and that repairs should be made to farm buildings in order to remove hazards and make such buildings safe the Secretary may make a grant or a combined loan and grant to the applicant to cover the cost of improvements or additions, such as repairing roofs, providing toilet facilities, providing a convenient and sanitary water supply, supplying screens, repairing or providing structural supports, or making similar repairs, additions, or improvements, including all preliminary and installation costs in obtaining central water and sewer service. No assistance shall be extended to any one individual under this subsection in the form of a loan, grant, or combined loan and grant in excess of $5,000.00. Any portion of the sums advanced to the borrower treated as a loan shall be secured and be repayable within 20 years in accordance with the principles and conditions set forth in this title, except that a loan for less than $2,500 need be evidenced only by a promissory note. Sums made available by grant may be made subject to the conditions set forth in this title for the protection of the Government with respect to contributions made on loans made by the Secretary."

Research and study programs

SEC. 207. (a) Section 506 (d) of the Housing Act of 1949 is amended to read as follows:

"(d) The Secretary may carry out the research and study programs authorized by subsections (b) and (c) through grants made by him on such terms, conditions, and standards as he may prescribe to land-grant colleges established pursuant to the Act of

July 2, 1862 (7 U.S.C. 301-308), or (upon a finding by the Secretary that the research and study involved cannot feasibly be performed through the personnel and facilities of the Department of Agriculture or by land-grant colleges) to such other private or public organizations as he may select."

(b) Section 506(e) of such Act is amended by striking out "farm housing" each place it appears and inserting in lieu thereof "rural housing".

Veterans preference

SEC. 208. Section 507 of the Housing Act of 1949 is amended—

(1) by inserting after "concurrent resolution of Congress" each place it appears the following: "or during the period beginning after January 31, 1955, and ending on August 4, 1964, or during the Vietnam era (as defined in section 101(29) of title 38, United States Code),"; and

(2) by inserting "or era" before the period at the end of the third sentence.

Utilization of county committees

SEC. 209. Section 508(b) of the Housing Act of 1949 is amended to read as follows:

"(b) The committees utilized or appointed pursuant to this section may examine applications of persons desiring to obtain the benefits of section 501(a) (1) or (2) as they relate to the successful operation of a farm, and may submit recommendations to the Secretary with respect to each applicant as to whether the applicant is eligible to receive such benefits, whether by reason of his character, ability, and experience he is likely successfully to carry out undertakings required of him under a loan under such section, and whether the farm with respect to which the application is made is of such character that there is a reasonable likelihood that the making of the loan requested will carry out the purposes of this title. The committees may also certify to the Secretary with respect to each such applicant as to the amount of the loan."

ASSISTANCE AUTHORIZATION

SEC. 210. Clauses (b), (c), and (d) of section 513 of the Housing Act of 1949 are amended to read as follows:

(b) "not to exceed $100,000,000 for loans and grants pursuant to section 504 during the period beginning July 1, 1965, and ending October 1, 1975; (c) not to exceed $200,000,000 for financial assistance pursuant to section 516 for the period ending October 1, 1975; (d) not to exceed $5,000,000 per year for research and study programs pursuant to subsections (b), (c), and (d) of section 506 during the period beginning July 1, 1961 and ending October 1, 1975;"

Direct and insured loans to provide housing and related facilities for elderly persons and families in rural areas

SEC. 211. (a) Sec. 515 (b) (1) is amended by striking "$750,000 or" where it appears, and striking the word "least" and substituting therefor the word "less".

(b) SEC. 515 (d) (4) is amended to read as follows:

"(4) the term "development cost means the costs of constructing, purchasing, improving, altering, or repairing new or existing housing and related facilities and purchasing and improving the necessary land, including necessary and appropriate fees and charges, including initial operating expenses up to 2% of the aforementioned costs, approved by the Secretary. Such fees and charges may include payments of qualified consulting organizations or foundations which operate on a nonprofit basis and which render services or assistance to nonprofit corporations or consumer cooperatives who provide housing and related facilities".

DEFINITION OF RURAL AREA

SEC. 212. Section 520 of the Housing Act of 1949 is amended to read as follows:

"DEFINITION OF RURAL AREA"

"SEC. 520. As used in this title, the terms "rural" and "rural area" mean any place which is not contained within a standard metropolitan statistical area, or any open country, or any place, town, village, or city which is within a standard metropolitan statistical area and has a population of less than 25,000 persons. "Open country" shall refer to the physical characteristics of an area and not be limited by fixed political boundaries."

SEC. 213. Sec. 517 of the Housing Act of 1949 is amended by adding a new paragraph (n) which reads as follows:

"(n) Notwithstanding any other provision in this Title, the Secretary may, by prior agreement with any State Housing Finance Agency, insure and service loans under this Title to borrowers in that state at reduced interest rates; *Provided* that the notes evidencing such loans are purchased by the State Housing Finance Agency, and *further provided*, that the maximum interest rate for such loans shall be the maximum rate established by the Secretary under section 521 of this Title, less the difference between the rate the Secretary shall pay the State Housing Finance Agency for the purchase of the notes and the rate the Secretary pays on comparable notes to private investors; and *further provided*, that the Secretary may further reduce the effective interest rates paid by eligible borrowers pursuant to section 521 of this Title.

SUBSIDY AND ASSISTANCE PAYMENTS FOR LOW- AND MORERATE-INCOME BORROWERS

SEC. 214. (a). Section 521(a) of the Housing Act of 1949 is amended by redesignating such section 521(a)(1) and adding at the end thereof new subsections 521(a) (2) and (3), which read as follows:

"(2) When necessary in order to enable a person of low income to provide adequate housing and related facilities for himself and his family, the Secretary may make or insure a loan under section 502, 504, 517, and paragraph (1) of this subsection on terms which, with respect to a portion of the loan not to exceed 50 percent, shall—

"(A) bear interest after but not before it becomes due under clause (B) or is reamortized under clause (C) of this paragraph;

"(B) become due upon expiration or the amortization period or upon full payment of the balance of the loan or in the event that without the Secretary's written consent or approval, the mortgaged property or any interest therein is transferred or ceases to be occupied by the borrower or default occurs with respect to any obligation under the loan or mortgage, whichever occurs earliest; and

"(C) on becoming due, may be amortized for payment of principal and interest in installments over a period not exceeding 33 years in the case of a section 502 loan and 20 years in the case of a section 504 loan, from the date of the amortization agreement, if the Secretary determines that the borrower cannot obtain a refinancing loan from other sources upon terms and conditions which he could reasonably be expected to fulfill and that the amortization is reasonably necessary to carry out the purpose of the loan or to protect the Government against probable loss.

"(3) The Secretary may make and insure loans under this section and sections 514, 515, and 517 to provide rental or cooperative housing and related facilities for persons and families of low income, and may make, and contract to make, assistance payments to the owner of such rental housing in order to make available to low income occupants at rates commensurate to income and not exceeding 25 per centum of income. The Secretary shall limit such assistance payments to multifamily housing projects. Such supplemental assistance payments shall be made on a unit basis and shall not be made for more than 60 per centum of the units in any one project, except when the project is financed by a loan under section 514 and a grant under section 516 such assistance may be up to 100 per centum of units.

"(A) the owner shall be required to provide at least annually a budget of operating expenses and record of tenants income which shall be used to determine the amount of assistance for each project.

"(B) the project owner shall accumulate, safeguard and periodically pay to the Secretary any rental charges collected in excess of basic rental charges. These funds may be credited to the appropriation and used by the Secretary for making such assistance payments through the end of the next fiscal year."

(b) Subsection (c) of such Act is amended to read as follows:

"(c) There shall be reimbursed to the Rural Housing Insurance Fund by annual appropriations (1) the amounts by which payments made from the fund during each fiscal year to the holders of insured loans described in subsection (a) and (2) the amounts of assistance payments made under paragraph (3) of subsection (a) during such year. The Secretary occasionally may issue notes to the Secretary of the Treasury under section 517(h) to obtain amounts equal to such unreimbursed payments pending the annual reimbursement by appropriation"

(c) Section 517(j) of such Act is amended—

(1) by striking out "and" at the end of clause (2);

(2) by striking out the period at the end of clause (3) and inserting in lieu thereof "; and"; and

(3) by adding at the end thereof the following new clause.

"(4) to make assistance payments authorized by section 521(a) (2)."

MUTUAL AND SELF-HELP HOUSING

SEC. 215. (a) Section 523(b)(1) of the Housing Act of 1949 is amended by inserting immediately before "; and" at the end thereof the following: *"Provided*, That the Secretary may advance funds under this paragraph to organizations receiving assistance under clause (A) to enable them to establish contingency land revolving accounts and any such advances shall be non-interest-bearing and shall be repaid to the Secretary at the expiration of the period for which the grant to the organization involved was made"

(b) Section 523(f) of such Act is amended—

(1) by striking out "1973" each place it appears and inserting in lieu thereof "1975"; and

(2) by striking out "$5,000,000" and inserting in lieu thereof "$20,000,000".

(c) Section 523 of such Act is amended by adding the following subsection 523(h):

"(h) The Secretary shall cause to be issued rules and regulations for the orderly processing and review of applications under this section and rules and regulations protecting the rights of grantees under this section in the event he determines to end grant assistance prior to the termination date of any grant agreement."

SEC. 216. Section 514(a) of the Housing Act of 1949 is amended to read as follows:

"SEC. 524. (a) The Secretary may make loans, on such terms and conditions and in such amounts he deems necessary, to public or private nonprofit organizations, public agencies and cooperatives eligible for assistance under any section of this Act or any other law which provides for housing financial assistance. Such a loan shall bear interest at a rate not to exceed 5 per centum per

annum and shall be repaid within a period of not to exceed two years from the making of the loan or within such additional period as may be authorized by the Secretary in any case as being necessary to carry out the purposes of this section."

TECHNICAL AND SUPERVISORY ASSISTANCE FOR LOW-INCOME FAMILIES IN RURAL AREAS

SEC. 217. Title V of the Housing Act of 1949 is amended by adding at the end thereof the following new section:

"PROGRAMS OF TECHNICAL AND SUPERVISORY ASSISTANCE FOR LOW-INCOME FAMILIES

"SEC. 525. (a) The Secretary may make grants to or contract with public or private nonprofit corporations, agencies, institutions, organizations, and other associations approved by him, to pay part or all the costs of developing, conducting, administering, or coordinating effective and comprehensive programs of technical and supervisory assistance which will aid needy low-income individuals and their families in benefiting from Federal, State, and local housing programs in rural areas.

"(b) The Secretary is authorized to make loans to nonprofit organizations for the necessary expenses, prior to construction, of planning, and obtaining financing for, the rehabilitation or construction of housing, the acquisition of land, and land banking for low-income families under any Federal, State, or local housing program which is or could be used in rural areas. Such loans shall be made without interest and shall be for the reasonable costs expected to be incurred in planning, and in obtaining financing for, such housing prior to the availability of financing, including but not limited to preliminary surveys and analyses of market needs, preliminary site engineering and architectural fees, and construction loan fees and discounts. The Secretary shall require repayment of loans made under this subsection, under such terms and conditions as he may require, upon completion of the housing or sooner, and may cancel any part or all of such a loan if he determines that it cannot be recovered from the proceeds of any permanent loan made to finance the rehabilitation or construction of the housing.

"(c) There are authorized to be appropriated for each fiscal year not to exceed $10,000,000 for the purposes of subsection (a) and not to exceed $20,000,000 for the purposes of subsection (b). Any amounts so appropriated shall remain available until expended, and any amounts authorized for any fiscal year under this subsection but not appropriated may be appropriated for any succeeding fiscal year.

"(d) All funds appropriated for the purposes of subsection (b) shall be deposited in a fund which shall be known as the Low Income Sponsor Fund, and which shall be available without fiscal year limitation and be administered by the Secretary as a revolving fund for carrying out the purposes of that subsection. Sums received in repayment of loans made under subsection (b) shall be deposited in such fund."

DIRECT AND INSURED LOANS TO PROVIDE CONDOMINIUM HOUSING FOR LOW- AND MODERATE-INCOME FAMILIES IN RURAL AREAS

SEC. 218. Title V of the Housing Act of 1949 is amended by adding at the end thereof (after the new section added by section 217 of this Act) the following new section:

DIRECT AND INSURED LOANS TO PROVIDE CONDOMINIMUM HOUSING FOR LOW- AND MODERATE-INCOME FAMILIES IN RURAL AREAS

"SEC. 526. (a) The Secretary is authorized, in his discretion and upon such terms and conditions (substantially identical insofar as may be feasible with those specified in section 502) as he may prescribe, to make loans to persons and families of low or moderate income, and to insure and make commitments to insure loans made to persons and families of low or moderate income, to assist them in purchasing dwelling units in condominiums located in rural areas.

"(b) Any loan made or insured under subsection (a) shall cover a one-family dwelling unit in a condominium, and shall be subject to such provisions as the Secretary determines to be necessary for the maintenance of the common areas and facilities of the condominium project and to such additional requirements as the Secretary deems appropriate for the protection of the consumer.

"(c) In addition to individual loans made or insured under subsection (a) the Secretary is authorized, in his discretion and upon such terms and conditions (substantially identical insofar as may be feasible with those specified in section 515) as he may prescribe, to make or insure blanket loan shall certify to the Secretary, as a condition of obtaining such loan or insurance under this subsection, that upon completion of the multifamily project the ownership of the project will be committed to a plan of family unit ownership under which (1) each family unit will be eligible for a loan or insurance under subsection (a), and (2) the individual dwelling units in the project will be sold only on a condominium basis and only to purchasers eligible for a loan or insurance under subsection (a). The principal obligation of any blanket loan made or insured under this subsection shall in no case exceed the sum of the individual amounts of the loans which could be made or insured with respect to the individual dwelling units in the project under subsection (a).

"(d) As used in this section, the term "condominium" means a multiunit housing project which is subject to a plan of family unit ownership acceptable to the Secretary under which each dwelling unit is individually owned and each such owner holds an undivided interest in the common areas and facilities which serve the project."

(b) Section 517(b) of such Act is amended by striking out "and 524" and inserting in lieu thereof "524, and 526".

(c)(1) Section 521(a) of such Act is amended—

(A) by striking out "and loans under section 515" and inserting in lieu thereof "loans under section 515";

(B) by inserting after "elderly families," the following: "and loans under section 525 to provide condominium housing for persons and families of low or moderate income,".

(2) Section 521(b) of such Act is amended—

(A) by striking out "or 517(a)(1)" and inserting in lieu thereof ", 517(a)(1), or 526(a)"; and

(B) by inserting "or 526(c)" after "under section 515".

(3) The new section 521(a)(2) of such Act (added by section 214(a) of this Act) is amended by adding the figure "526" after the figure "517" where it appears and where it appears in subparagraph (c).

SEC. 219. Title V of the Housing Act of 1949 is amended by adding at the end thereof (after the new sections added by sections 217 and 218 of this Act) the following new section:

"TITLE INSURANCE

"SEC. 527. (a) The Secretary may insure titles to land which are otherwise uninsurable by private insurance companies because of remote outstanding claims or encumbrances to enable eligible persons holding such land to benefit from this title.

"(b) The Secretary may use funds from the Rural Housing Insurance Fund for purposes of this section and any funds so expended shall be reimbursed by annual appropriations."

ADDITIONAL COSPONSORS OF A BILL

S. 2422

At the request of Mr. MATHIAS, the Senator from New Hampshire (Mr. MCINTYRE) and the Senator from Connecticut (Mr. RIBICOFF) were added as cosponsors of the bill (S. 2422) to establish a National Center for the Prevention and Control of Rape and provide financial assistance for a research and demonstration program into the causes, consequences, prevention, treatment, and control of rape.

ADDITIONAL STATEMENTS

WINTER FUEL SITUATION

Mr. PERCY. Mr. President, while those of us in Washington have barely noticed the departure of summer, many people in the Rocky Mountains, in the Upper Midwest, and in New England have already seen the snow fly and felt the blustery chill of winter. But winter will be chillier still if there is no fuel to heat our homes or dry our crops.

Government reports indicate that if any but the most ideal conditions prevail, heating oil will be in short supply nationwide this winter. They indicate further that heating oil is likely to be in shortest supply where it is needed most—in the coldest areas of the country. In addition, propane, the fuel used most widely for crop-drying and for home heating in rural areas, is in critically short supply at present.

On October 2, the President announced a mandatory allocation program for propane, to become effective immediately, and a similar program for middle distillates—including home heating oil—to become effective in about 2 weeks. Under the propane program, the most vital needs—residential use and agricultural production—are receiving first priority. The distillate program will undoubtedly have some similar provision for filling vital needs first.

I applaud these efforts, though they may have been too long delayed to begin requiring these essential fuels to be distributed equitably on the basis of need. I hope that the administration will proceed immediately to publish regulations for the allocation of distillates, and to fully implement and enforce both programs.

But even as I applaud these minimum efforts to cope with a rapidly deteriorating situation, I cannot but wonder what took us so long. Why did it take so long to realize that the voluntary program instituted last May simply was not working properly, and that the danger to our people and economy from a heating oil shortage would be far greater than the danger from a gasoline shortage.

Even now, I have difficulty understanding why we have limited the allocation program to the bare minimum—to only those fuels that are in shortest supply. The distortions we have seen recently in the supply and distribution of food should be warning enough that unequal Government regulation of fuels

will lead quickly to distortions in the delivery of products to the public.

The administration has the authority right now to implement a mandatory allocation program equally applicable to all fuels. Twice this year, on June 5 and again on August 2, the Senate has passed bills expressing its will in favor of such a program. All summer and into the fall the House has delayed enactment of these bills, and the executive branch has delayed implementation of a complete program.

Now winter is upon us and a catch-up effort is underway to quickly implement half a program when a full-scale program should have been started last June.

Fuels that are already in short supply may become even more scarce as a result of the current Middle East crisis. This threat only points up more vividly how a lack of planning and foresight has unnecessarily worsened a situation that was predictable early this year.

It is absolutely true, as the administration has so often stated, that no allocation program can increase the supply of fuel. But that is no reason not to have an allocation program. In a shortage, we must share our scarce resources—and we must share them equitably.

I am in full accord with the priority system the administration has established for propane, which places residential, agricultural, and medical uses and essential government services near the top of the list. The heating oil program can be designed equitably, as well.

However, even the fairest priority system breaks down when someone fails to comply with it. Week after week farmers, homeowners, businessmen, and independent marketers and distributors have reported to me that they have been victimized by lack of compliance with the voluntary allocation program. It is imperative that the administration make adequate provision for enforcement of the new mandatory programs.

In Illinois, we have established an agricultural hotline that enables farmers to call directly for help when they are running out of fuel or are faced with some other immediate problem. I believe a similar hotline should be available nationwide and I have suggested this to administration witnesses at hearings we have held here in the Senate.

What is needed to insure compliance with the fuel allocation program is a national hotline to the Office of Oil and Gas, using a widely publicized toll-free number, to enable homeowners, farmers, businessmen, marketers, and suppliers to call for help whenever they should be receiving priority supplies and are not getting them.

At the Washington end of the hotline should be not a computer or a recorded announcement, but experts who have quick access to information about the regional fuel supply system, and who have the authority to require those supplies to be delivered to fill priority needs and meet hardship cases.

I realize that it is unpleasant to contemplate additional Government involvement in any economic sector. But there are times when the basic needs of our people are not being fulfilled, when human health and even survival are threatened. Those are the times when Government must help. The people deserve no less than for their Government to respond promptly and effectively when they are in need.

Fuel to heat our homes is a basic need for survival. Fuel to provide food for our tables is also a basic need. It is the duty of Government to insure that those needs are met. It is also up to all fuel users to eliminate all unnecessary and wasteful use of scarce fuels. In many respects "we are the enemy."

A STATEMENT OF CONVICTION

Mr. HARRY F. BYRD, JR. Mr. President, on September 30, 1973, a "Statement of Conviction" of the Committee for Mending the Liberty Bell was published in the Richmond Times-Dispatch. The committee has set out upon an ambitious project to draw attention to its concern for the direction of government, public and private morals, and with making a significant contribution to the Bicentennial commemoration by a series of statements.

The first statement was authorized by Bernard Chamberlain, Francis Duke, and Virginia Moore.

Their concern is eloquently expressed in the "Statement of Conviction" and is reiterated in the comments in the attached article.

I ask unanimous consent that the article from the Richmond Times-Dispatch and the "Statement of Conviction" be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Richmond (Va.) Times-Dispatch, Sept. 30, 1973]

COMMITTEE FOR MENDING LIBERTY BELL HOPES TO SPUR NATION'S CONSCIENCE

(By Steve Barr)

CHARLOTTESVILLE.—Formed in an effort "to regenerate an appreciation of the essence of the bicentennial," the Committee for Mending the Liberty Bell hopes to spur Virginia's and the nation's conscience.

In a series of statements to be released through the nation's 1976 birthday celebration, the committee plans to draw attention to what its members believe is a spiritual crisis in America.

The statements of conviction were inspired by the "President's call to the people to appropriately celebrate that which occurred 200 years ago," committee chairman Norman Dodd said last week. It is "a ridiculous anomaly," he added, "to celebrate something we don't believe in."

Composed primarily of Charlottesville-area residents, the committee, concerned about the future of America, believes that the goals of the Founding Fathers have been subverted and that the nation faces a moral crisis that distorts America's economic, political and social life.

In ten to 12 papers to be issued at intervals reflecting historical happenings, the committee intends to follow the progression, thoughts and events leading to the American Revolution. In the process, the papers will explain how the nation drifted from the standards visualized by the decision-makers of the Washington, Jefferson and Madison eras.

The committee's first statement, timed to recall the colonies' Committees of Correspondence, identifies "materialism, which has people functioning out of their lower selves," as the "fatal disease" that "destroys any genuine freedom."

That conclusion, completed after about a year's work, represents the discussion and thoughts of the committee members. The first statement was written by Bernard P. Chamberlain, a Phi Beta Kappa graduate of the University of Virginia and a lawyer; Francis Duke, community leader and former U. Va. professor, and Virginia Moore, author of 12 books, including "Virginia Is a State of Mind" and "Scottsville on the James," and a director of the Virginia Center for the Creative Arts.

Contributing to the statement were Dodd, a consulting economist and research director of the 1943–54 Dodd Report to the Reece Committee on Foundations, a special investigation for the House of Representatives; Lee Davis Lauren, a former subversive intelligence analyst for the deputy inspector general for security, Strategic Air Command and currently of Bethesda, Md.; Evelina Magruder, civic leader and the first woman to receive a bachelor of science degree in architecture at U. Va., and William E. Yost, Jr., a civilian employe of the U.S. Army in technical intelligence and a former consultant to Motorola, Inc.

Five of the members, interviewed last week as representatives of the committee, declined to specify exactly what aims of the Founding Fathers have been subverted or explain the causes of the crisis America faces. They did say, however, that as statements of conviction are issued, the specifics and explanations will become apparent.

But the committee members, speaking as individuals, did specify what they believed to be dangers affecting society today.

"If you believe the conception of the Founding Fathers was correct, then any deviation constitutes a danger to the nation," Miss Moore said.

The nation, she said, "was founded in freedom. Today we talk about it, but we do not understand it—we do not understand its implications. It involves understanding of what free will is; what a human being is."

Citing works by Samuel Butler and George Orwell, novelists who wrote about the human condition, Duke said he saw a present danger in "the disillusionment of society through a lack of moral fiber."

In another capsule comment, Miss Magruder said, "I am concerned that government will overpower the individual as a tyrant will overpower his people."

Since the decades following the signing of the Constitution, Chamberlain said, "We have descended in our moral outlook to what seems to be an amoral society. We are now an amoral state in which principles are discredited. We have the tyranny of big government based on amoral principles."

For Dodd, monetary debt, incentive taxation and government by administrative agencies are dangers to the nation. "The government can accuse the individual of irregularities," he said, "and the burden of proof rests on the individual."

Like the Federalist Papers, written in 1787–88 and first published in newspapers, the recent statements are hoped by the committee to arouse individuals to concentrate on the nation's problems.

Duke said he had been inspired for the undertaking because of the committee's location in Central Virginia, where a state of culture existed in the "highest sense" during the Colonial period.

"There was a feeling in Virginia, but not

exclusively, that society had a positive ideal to aim for," Duke explained.

"Virginians, in fear of being chauvinists," Miss Moore said, "sometimes hesitate to speak out."

With James Madison and Thomas Jefferson a part of the area's "cultural debt," Dodd said he believed that "whatever problems are of the present day, their solutions could justifiably come from this area," already selected as one of the state's three bicentennial celebration centers.

"History has turned on the thoughts of one or two people," Chamberlain said. "The Liberty Bell crack needs to be mended."

STATEMENT OF CONVICTION

(The first statement of the Committee for Mending the Liberty Bell recalls the Committees of Correspondence, formed to provide colonial leadership and aid intercolonial cooperation, established 200 years ago this fall. In 1772, a 21-man committee had been appointed to communicate among the towns of Massachusettes. On March 12, 1773, at the urging of Richard Henry Lee and Thomas Jefferson's brother-in-law, Dabney Carr, the Virginia House of Burgesses appointed 11 men, including Patrick Henry and Jefferson, as a committee for intercolonial communication. By September 1773, a network of colonial states had joined Virginia's effort. The Committee for Mending the Liberty Bell has scheduled its next statement for this winter. It will recall the Boston Tea Party of Dec. 16, 1773.)

Fellow Americans: We of the Committee for Mending the Liberty Bell—a small group pondering great issues—have agreed on seven propositions, which we offer here on the edge of the Bicentennial, in a spirit of truth and hope, to others who are or may become as profoundly concerned as we are about the future of our country.

We are convinced:

(1) That the high pure aims of the Founding Fathers have been subverted;

(2) That the United States has reached a crisis, basically moral, which severely damages all three parts of the body social (that essential threeness), our economic, our political and our cultural life;

(3) That the fundamental cause of this crisis of values is a misconception as to the nature of man, his inner constitution and potential, and more particularly the nature of free will, which sets man apart from the animals, and without which there would be no praise and no blame;

(4) That the primal freedom from which all others derive is the spiritual freedom which belongs to man by reason of his higher self, and is inseparable from responsibility (if the Founding Fathers did not spell out this truth in the Declaration of Independence or Constitution doubtless it was because it seemed self-evident; certainly Washington, Jefferson, Madison and their fellow patriots lived it);

(5) That materialism, which has people functioning out of their lower selves, destroys any genuine freedom; in anchoring to the perishable, a man—whether or not he knows it—is coerced at every point.

(6) That the potentially fatal disease of materialism can be cured; more, that individuals and society can move toward realizing their highest possible development, the great goal, by a conscious revision of values and therefore objectives, and the will to follow through in action;

(7) That the nation must undertake this tremendous task now or succumb to the disease mentioned—die spiritually—before ever reaching maturity; must undertake it for herself and the whole of mankind.

Obviously these stark propositions demand close examination; also an analysis, in the light of 200 years of national experience, of the Declaration of Independence.

The burning question: Why has a nation founded by persons of excellent moral caliber, with noble workable ideals, fallen so far short? Crisis is opportunity. It is time for a rebirth of understanding, and rededication.

In a series of papers, perhaps a dozen, issued at intervals of three or four months, we hope to address ourselves clearly and strongly to major problems.

In the process we will be watching the march of events leading up to the Declaration of Independence, that turning point, for these past events have something to say to the present.

Exactly 200 years ago this September, Committees of Correspondence, formed the previous March to enable the Colonies to consult together by letter, were in full swing. In the midst of a long trade-and-tax struggle and bitter Colonial protests against taxation without representation in Parliament and other injustices—basically of course it was a protest against diminishment as human beings—this correspondece was the first drawing together: forerunner, in a sense, of the Continental Congress, which in turn was forerunner of the federated republic set up, under God, by the Constitution of 1787.

Let us draw together now, in a different way and for a different, though related, purpose.

Today the loud-crying need is to combat, not the tyranny of a government 3,000 miles away, but the even more hateful tyranny of materialism, of the lower man; to fight, not dangers brewed by George III, but—what irony—monstrous ones of our own devising.

Ring out again, great bronze Philadelphian bell!

Signed in the shadow of Monticello and Montpelier,

BERNARD CHAMBERLAIN,
FRANCIS DUKE,
VIRGINIA MOORE,
For the Committee for Mending the Liberty Bell.

Other members:

NORMAN DODD, *Chairman.*
LEE LAUREN.
EVELINA MAGRUDER.
WILLIAM E. YOST.

WISCONSIN MOTHER OF 17 CHILDREN ALSO HAS FULL-TIME OUTSIDE JOB

Mr. PROXMIRE. Mr. President, recently the United Press reported the story of a 44-year-old Wisconsin mother who has 17 children—11 sons and 6 daughters—and who has found the time to work full time—40 hours a week and more as a Tupperware manager.

This mother—Mrs. Francis Benzing—is the wife of a Wisconsin farmer who owns and operates a 320-acre dairy farm in a beautiful section of western Wisconsin.

In this time when there has been so much criticism of the increasing moral and physical deterioration of the American people, the good news about the great majority of hardworking, taxpaying conscientious Americans who are doing a fine job raising happy, wholesome children who understand what a hard day's work is and the importance of character—that story is too rarely told.

The Benzings dramatize one of the many things that are good about this country. Far from complaining about her "hard lot" Mrs. Benzing seems to be having a ball.

She has succeeded in planning and organizing her family life, so that there is time for play as well as work. They find life on a farm ideal for a large family.

Mr. President, the Benzing family and their story reminds us that despite all the turmoil, corruption, pollution, inflation, and general downgrading of this society of ours, many of our people are still moving ahead, living the good, hard-working, happy life, and we should never ignore that.

I ask unanimous consent that the story from the New York Times entitled "A Mom of 17 Finds Time To Work, Too," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A MOM OF 17 FINDS TIME TO WORK, TOO—WISCONSIN FARMER'S WIFE HAS FULL-TIME JOB

SPARTA, WIS.—At 44 years of age, Mrs. Annetta Benzing says she is like any other wife and mother who works to supplement the family home.

What she neglects to mention is that unlike most working mothers, she has 17 children.

With 11 boys, enough to field a football team, plus a half dozen girls ranging from ages 7 to 23, Mrs. Benzing would seem to have little time for another job.

But Mrs. Benzing laughs off any notion she has a harder time managing her home and job than other mothers.

"The average days are busy here," she said, "but of course the children do a lot for me so it's not difficult."

The Benzings, Annetta and Francis, 54, own a 320-acre dairy farm in western Wisconsin, and Mrs. Benzing works as a Tupperware manager.

"I work a full week—40 hours—sometimes more," she said. "I'm involved in a unit of dealers and I put on a full schedule of parties each week, usually four to five. But the type of work I'm doing lets me pretty much set my own schedule."

FREEDOM IS A MUST

That freedom is a must for her, Mrs. Benzing said, and it has worked out to her satisfaction and the family's benefit. The former beautician has held several jobs during her marriage, but none has paid off as well as the position with the direct sales outfit.

"I've been able to get so many things I've always wanted—like new carpets for the entire home," she said. There have also been new appliances, such as a dishwasher, three desks, a new car and a washer and dryer won in a company contest.

"We've just got to build another bathroom," Mrs. Benzing said.

The key to the smooth operation of the family is planning. All the children have chores to do—the boys outside on the farm with their father and the girls in the home or garden.

Mrs. Benzing feels farm life is ideal for a family so large.

"If you're going to have so many children, the farm is perfect," she said. "They have room to move around and play. It's exciting for them because there are so many things they can learn. It also keeps them busy during the summer."

The farm also helps keep the family food bill down.

RAISING THEIR OWN HELPS

Mrs. Benzing noticed food price increases. She does shopping only once a month, but having their own dairy products and beef is an advantage.

"I also can things from the garden," she said. "Usually I use double or triple what the average family uses. We buy in the caseloads and just use bigger kettles.

"The only advice I can give other house-

wives on budgeting food money is to buy in quantities and watch the price. You also have to consider that you want to give the family what they like."

Only 11 children live at home now. Some of the boys are working or in the service and one daughter has graduated from college. Although Mrs. Benzing says it's sometimes sad there aren't as many table settings as there used to be, she brightens when she notes how much they love to return home.

The lesson the Benzings have tried to instill in their children is selflessness.

"Our family has to share—school clothes, toys, things like giving each other help with schoolwork," she said.

The family tries to spend as much time together as possible, even though it sometimes means having to vacation in shifts and leave some of the children at home.

DEATH OF JOHN CAVANAUGH, SR., OF NEVADA

Mr. CANNON. Mr. President, one of Nevada's outstanding citizens, John Cavanaugh, Sr., died tragically in an automobile accident near Reno on October 5, 1973.

Mr. Cavanaugh started his business career in Tonopah, Nev., one of the West's great old mining camps, and from there he expanded his interests to many sections of the State. He was active in real estate and construction. Several buildings in Reno attest to his accomplishment as a builder. It was my privilege and pleasure to be a close personal friend of John Cavanaugh and his family for the last quarter of a century. I join thousands of Nevadans in mourning the passing of this great citizen, admired and respected by all who knew him. The sympathy of Mrs. Cannon and myself go out to his fine family.

Mr. President, I ask unanimous consent to have the following editorial on Mr. Cavanaugh from the Nevada State Journal of Reno, printed in today's RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

JOHN CAVANAUGH, A GREAT NEVADAN

Different reactions are felt in different places to the death of Reno builder John Cavanaugh Sr. in an auto accident on Mt. Rose Friday evening.

There is always considerable duality in human personality and this was true of Cavanaugh. To the community at large he was a rather aloof builder and a sort of mystery because his enterprises were so consistently successful. Although he was active in several organizations, was a state leader in Democratic party politics and had been a deputy Nevada State Exalted Ruler of the Elks, his personality was reserved. For a man so prominent he was rather withdrawn from the press and he was quiet in conversation with people he did not know well.

To his close associates and family he was quite different. Grief at his death was most evident Saturday and Sunday among employes and old friends throughout the state.

His contact with old friends and associates in the cow counties sometimes provided shocks to his closer associates because of the generous support he gave to them individually and to their projects. This involved large amounts of money about which John kept modestly or discreetly silent.

There was also a contrast between John Cavanaugh's public and private personalities as to his interests. To the public he was an investor and builder, a paragon of efficiency totally involved in his enterprises—an image generated by his phenomenal business success. Actually his great interests were in children, in his ranches and in the ranch animals.

He got immense pleasure from his grandchildren and spent his vacations taking them on trips. His best friend was the Indian who ran his ranching interests; and the days spent with animals on his ranches were especially happy times.

In earlier days in Tonopah, before his own children were grown and when they had to drive 60 miles to swim in a pool, he was a guiding force and spent a lot of personal work hours in getting a concrete swimming pool built for the Tonopah children.

Among the native Nevadans directly involved in Reno's spectacular growth over the past two decades, John Cavanaugh must have been the most successful builder and developer—or very nearly so.

Best known for construction of the Arlington Towers and Arlington Plaza Motor Hotel, he also built the Renada Crest subdivision and was a major stockholder in the Cal-Neva Club in Reno and the Cal-Neva Lodge at Lake Tahoe.

The son of a miner in Tonopah, he started with no financial resources. His first job was dismantling an old mill while he was in high school. He worked in the mines as a mucker, got a job in a service station, presently acquired an oil distributorship and grew from there. Family responsibilities kept him from attending college and he remained a little sensitive about this all his life.

It was a little difficult for an interviewer to extract from Cavanaugh any idea as to the reasons for his great success. They really appeared to be a mystery to him. He spoke of appraising the factors in a business situation, of trying to visualize the future, of employing unusually capable people, and of producing high quality workmanship and finished product.

His associates note some other qualities—a great capacity for detail and for exceptional work effort and an unusual knack for relating to people despite his quiet manner. His genuine faith as a devout Irish Catholic undoubtedly supported these personal qualities.

He seemed to illustrate much of the best in Old Nevada—almost to represent the carrying forward in one personality of the traits that built the strength of this state a generation or two ago.

This is well illustrated by the fact that until his untimely death at 64 he still liked to make a deal on a handshake, believing a "man's word is his bond."

There isn't anyone else left like that, and perhaps that was our greatest loss when John Cavanaugh's car left the Mt. Rose Highway Friday night.

TRADE DEFICITS AND OTHER MATTERS

Mr. CRANSTON. Mr. President, I ask unanimous consent that a dialog I have had recently on trade deficits be printed in the RECORD.

There being no objection, the dialog was ordered to be printed in the RECORD, as follows:

Q. Trade deficits. Devaluation of the dollar. Gold speculation. I'm not sure I know what it all means, but aren't those things all wrapped up with inflation too?

A. Yes, they are. Our enormous overseas spending on military and foreign aid, the trade deficits and multinational investments have put an estimated $60 to $80 billion American dollars roaming around Europe, the Middle East and the Far East—a truly staggering amount of money over which we have absolutely no control. It doesn't take an economist to tell you that is having profound effect on the cost of milk, bread, gasoline and building materials in California and elsewhere.

Q. What about homes? I've heard a lot of talk about the cost of food, but have you seen what a new house costs these days?

A. Yes, I have. It's appalling. The average price of a new single-family house went from $27,000 in May 1972 to $32,000 this spring. It is about $34,000 right now. Mortgage loans are way out of line—when you can get them at all. The interest rate is now about 9 percent. A year ago it was 7.5. That means an added $50 per month on the average monthly mortgage payment. There needs to be firm, decisive action from the top if we are ever to return to our hopes for home ownership for all Americans. In the last few weeks, Congress and the President have both taken steps to make more money available on the mortgage market. Congress expedited extension of the FHA loan authority until October 1974. The Senate Housing Subcommittee on which I sit is working right now on a new omnibus housing bill that should greatly improve home ownership opportunities for low and moderate income families.

Q. The machine shop where my husband works in Gardena, has closed down. The pension fund he paid into for 15 years stopped when the job stopped. Isn't there supposed to be something to prevent this?

A. Congress is working on it. It's a terrible situation when a retiring or laid off worker finds that his pension plan doesn't give him the economic security he has a right to expect. The bill I co-sponsored to remedy this provides a federal back-up where a company pension plan—like your husband's—is terminated. You get back what you paid in. What's more the company is required to match benefits so you get the full coverage you deserve. Benefits would also be transferable to your new job when you find one. Pension reform passed the Senate and is now before the House.

Q. A few years ago I remember seeing huge stacks of grain rotting under tarpaulins in the Sacramento Valley. Now they talk about food shortages. What happened?

A. Weather reverses, too much exporting of surpluses, a railroad boxcar shortage and poorly conceived federal programs—among other things. Last year 60 million acres were kept non-productive by the federal government.

Q. Is anything being done to increase food production so we can get food prices back where they belong?

A. Yes. The biggest advance was passage of the Omnibus Farm Bill by Congress recently. It increased subsidies and did away with "set aside" provision that caused farmers to keep acreage out of production. Most idle farm land has now been released for production.

Q. Will you vote for a pay raise for Congress?

A. Absolutely not. It would be wrong for Senators and Representatives to vote pay raises for themselves while the American worker is being asked to hold the line against inflation.

Q. My wife and I get $274 a month Social Security. We read where Congress passed a 5 percent increase. When are we going to get it? We can't wait forever!

A. The 5.9 percent increase adopted this summer does not go into effect until *next* July. I think that's ridiculous in view of the way prices have kept on rising. I joined Senators Church and Ribicoff in introducing a substitute 7 percent increase effective January 1, 1974. The Senate Finance Committee added our 7 percent proposal to a bill before

that committee. Senate action on that bill will probably come in the next two weeks. Unless the President vetoes it, your increase will be effective immediately.

Q. You talk about cutting military spending. Don't you know we'll be worse off than ever in the Yuba City-Marysville area if they close Beale Air Force Base?

A. I do know very well the local impact when domestic military bases are closed with little or no warning. It is very unwise to take economy out of the hide of the American defense workers and the communities where they are based while at the same time the Pentagon pays wages to some 167,000 foreign nationals at bases overseas. Senator Tunney and I have introduced legislation requiring that the first cuts be made in the enormous network of bases and installations we maintain in some 30 countries. These overseas bases cost us $40 billion a year!

Q. As if farmers haven't been through enough ups and downs recently, now there's no propane to dry crops or diesel fuel to run our tractors. What about fuel allocations?

A. I was gratified to see the White House finally respond to the demand for mandatory allocation. Agriculture will be one of the priority users under the announced allocation formula. But as you know, the formula only distributes the fuel more evenly. It doesn't make more of it available. Ultimately we're going to have to find new sources of fuel. I've introduced legislation to start experimental work to harness solar energy to dry crops like corn and wheat thus releasing a great quantity of propane for other uses.

Q. With all the shortages and money problems here at home, are they still talking about giving away billions to North Vietnam?

A. Yes, and I for one am totally against it. There should be no aid to Hanoi and North Vietnam and no consideration of such a possibility until we meet our own urgent national needs like cleaning up our polluted water and air, building transit systems, providing better schools and health care, and reducing the burden of heavy property taxes.

THE VICE-PRESIDENT-DESIGNATE

Mr. MATHIAS. Mr. President, GERALD FORD already has a positive record of legislative experience and political success. By nominating him, the President has presented him with a challenge to raise the Vice-Presidency to a level of national leadership above party by demonstrating justice, wisdom, and moral strength. I wish him well.

MARYLAND WATERMEN

Mr. MATHIAS. Mr. President, the watermen of the Chesapeake Bay are a special breed. So, when an article appears which captures much of the essence of Chesapeake watermen, I am moved to share it with my distinguished colleagues. John Sherwood, in the Washington Star-News of October 8, provides us with such a picture in his article entitled: "Capt. Hezzie: 90 Summers No Hindrance." His study of the 90-year-old Capt. Hezekiah C. Elliott, I believe, puts it all together and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAPT. HEZZIE: 90 SUMMERS NO HINDRANCE

(By John Sherwood)

BROOMES ISLAND, Md.—All about him are the 90 years of his life, circling timelessly like a gull that never wants to land, changing only as the seasons change, always there around a familiar bend in a road, across a pond slick as a dish.

Never-changing Nan's Cove, a waterfront painting, lies just beyond the rocking chairs on his front porch. Everyone has long since forgotten who Nan was.

Tar Bay oyster bar seems to be occupied by the same men in baggy overalls who scrape the river bottom with long, wooden tongs that have been used for a hundred years.

There is always someone out there on the Patuxent oystering with the old handtongs, crabbing with baited "trot" lines and hand dip nets, or fishing, working, working with implements that are in maritime museums. It is all still there a deep pond of time-past, working, sons still following fathers who have followed fathers who have "followed the water."

Capt. Hezekiah C. Elliott, 90 last month, is one of the oldest active watermen "that they is," say those who know. Put him in a high-rise apartment—put him in the grave. Keep him around Nan's Cove and the Calvert County island and he might bury his own children.

Capt. Hezzie is not one to be caught for an interview in an overheated room with an overheated wife. Could we get him, Mrs. Hezzie, to maybe walk out to the end of the pier for a few moments and then bring him right back inside?

Capt Hezzie is often up at 4 a.m. and out on the Broomes Island oyster bar by dawn. Early afternoon he spends walking and talking to the old-timers who can't walk to him. Late afternoon he's out fishing, and by early evening it might be time for a little boat ride.

The old man of the island has the face and shape of a 65-year-old; only the turkey neck indicates his 90 years. He moves about like a sandpiper, more at home with a floor that moves beneath him than in a house ashore.

His open workboat is only 20 feet long, made of pine, and looks like a rowboat. An air cooled 10 h.p. engine sends him flying—his 20-foot oyster tongs hanging over the stern and bouncing in the wake.

"Working and talking and the water are what keeps me alive," he says. "I never stay inside, 'less it's raining, and sometimes not even then. Don't drink, don't smoke." But he "loves the sugar bowl," says his younger wife, Mary, 73.

"I rocked her when she was a baby," says Capt. Hezzie, pointing to his wife, who says "Don't you dare tell that story." But the old man goes on: "Well, it's truth. I even waited for her to grow up, so's I could marry her."

Mary was only 15 when Hezekiah married her 58 years ago. They have six daughters and one son, "Duck," 48, a "junior" who is a commercial fisherman on the island and who looks only a few years younger than his father.

When Capt. Hezzie isn't shucking and selling oysters, he's giving away fish. "Last year I tonged right smart 'o arsters on them little hills and lumps and I hope the same happens this year," he says.

Also an active fishing boat captain for more than 50 years, Hezzie and Mary Elliott often had as many as 20 "head" (fishermen) boarding weekends in their 14-room house. The stories about Mary's bountiful table are legend.

"No one ever spent a weekend," says Hezzie, "less he went away 10 pounds heavier." But the charter-boat work is over.

Now the big fishing party days are finished for Hezzie, and sad evidence is across the cove and over in a secluded spot where part of his past lies "going to pieces."

The 40-footer is half-sunk, awash on the shore where she was left to die, too old to save. Another of Hezzie's boats has gone to driftwood with the tides until all that is left of "Eleanor" is a rusted engine barely above water.

But the old skipper is doing well for himself these days on the oyster bars off Broomes Island. His day is whatever he wants it to be; whenever he makes it. Hezekiah C. Elliott, of Nan's Cove, is a happy man.

DR. ARCHIBALD RUTLEDGE

Mr. MATHIAS. Mr. President, Marylanders have always had a special feeling toward Dr. Archibald H. Rutledge, who was for many years a neighbor at Mercersburg. I was personally and deeply moved to learn of the death of this teacher, author, and naturalist and know my sentiments are particularly shared by the people of Hagerstown where his son, Judge Irvine H. Rutledge, is a member of the circuit court. Dr. Rutledge was truly one of America's finest authors and poets; his many literary works command the respect of those who know the special genius required to reduce the world of nature to the printed word. Recently the Hagerstown Morning Herald carried an excellent article by Harry Warner detailing the highlights of Dr. Rutledge's long and distinguished career. I highly recommend this article to my colleagues and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DR. ARCHIBALD RUTLEDGE: AUTHOR, POET, NATURE LOVER

(By Harry Warner)

The death of Dr. Archibald H. Rutledge received less than three inches of space in the local newspapers last month. But older residents of Hagerstown and vicinity could fill in from their memories the facts that had made him one of this area's best known residents years ago.

Moreover, poetry and book lovers throughout two continents mourned the death of one of the most respected of the older generation of writers.

Dr. Rutledge became a familiar figure in this area during the third of a century in which he served as a faculty member of nearby Mercersburg Academy. But he had been celebrated as a writer of books, contributor to magazines, and folk lore authority almost since the arrival of the 20th century.

The father of Judge Irvine H. Rutledge moved out of this area in 1937. That was when he retired from the nearby preparatory school. He went back to his boyhood home in South Carolina, where authorities promptly named him the first poet laureate of that state.

Some states choose as poet laureate someone who has a knack for writing doggerel verse and slapping politicians on the back. That wasn't the case with Dr. Rutledge. His ranking as a poet was such that he received serious consideration for the Nobel and Pulitzer prizes on more than one occasion.

Family tradition says that the poet began creating verses at the age of three when he thought up this couplet:

"I saw a little rattlesnake.
Too young to make his rattles shake."

He wrote much better poetry as he grew older, but that pioneer creation had as its subject one of the topics that remained dear to Dr. Rutledge all through his long creative life. He was a nature enthusiast. Decades before people discovered that magic word, "ecology," he was celebrating in verse and prose the wonders of nature and the simple sort of living that have since interested so many people. The titles alone of many of his books reveal that preoccupation:

"Santee Paradise," "Home by the River," "From the Hills to the Sea," and "Deep River," for instance.

Dr. Rutledge wrote copiously. The complete edition of his poetry that was assembled in 1960 runs to 635 pages. Previously, he had published some 25 separate volumes of poems and 45 books of prose. Besides, there were countless contributions to almost every important magazine published in the first half of this century and some of the nation's leading metropolitan newspapers.

But he was as interested in people and in his nation as in its flora and fauna. He loved to listen to legends and traditions told by old-timers in his beloved South Carolina, then embody them in his own prose to perpetuate lore that might be lost at any time in its word-of-mouth embodiment.

Dr. Rutledge was born on Oct. 23, 1883, in McClellanville, S.C. He grew up near that small town on a plantation that had been owned by Rutledges for many years. As a boy, he studied privately at first, then worked his way through Union College in Schenectady, N.Y., where he graduated as valedictorian in 1904. By then, he was already selling his writings to national magazines.

At this point, he took the post as instructor in English at Mercersburg Academy, a school which attracted the sons of some of the nation's best known men, even a presidential son or two. During his long career at Mercersburg, he married and raised his family.

Many persons survive the transition to retirement only a few months or a few years. Dr. Rutledge lived 36 years after he had moved back to the 2,000-acre Hampton Plantation where he had grown up. There he had the leisure to revel in the natural beauties of his estate and to write unimpeded by the pressures of the classroom. He was 89 when he died there.

Even people who did little or no reading became familiar with the planation, because it attracted thousands of visitors as a surviving reminder of the Old South.

One report said that one vote represented the difference in the year the Nobel Prize for literature went to William Faulkner instead of Dr. Rutledge. Those who received Pulitzer prizes in the years he placed second were Edna St. Vincent Millary and Robert Frost.

The Library of Congress asked him to record 75 of his poems for the National Archives. Many of his books were published in the United Kingdom and in Europe.

A memorial display of some of Dr. Rutledge's books and magazine articles was placed in the Washington County Free Library lobby following his death.

PROFESSIONAL STANDARDS REVIEW ORGANIZATION PROGRAM

Mr. BENNETT. Mr. President, earlier this week, Senator BENTSEN proposed to the Finance Committee an amendment affecting the professional standards review organization program. I accepted his amendment because to me, it seemed a clarification of existing law. But apparently and mistakenly, it has been interpreted by some members of the medical profession as a basic change in the law. In the hope of stopping the further spread of this misunderstanding, I am putting into the RECORD two documents I have prepared. One is the text of a speech I shall make tomorrow to the American College of Surgeons and the other is a letter I am sending to Secretary Weinberger of Health, Education, and Welfare. I hope that with this information my colleagues in the Senate will be able to answer any questions on the subject that may come to them. I ask unanimous consent that the text of the speech and copy of the letter be printed in the RECORD.

There being no objection, the text of the speech and letter were ordered to be printed in the RECORD, as follows:

ADDRESS OF THE HONORABLE WALLACE F. BENNETT

I was especially pleased to receive your kind invitation to keynote the Professional Standards Review segment of your meetings. The Board of Regents and the Board of Governors of the College of Surgeons epitomize the professional as opposed to the political aspects of medicine.

Some of the regents here will recall the lengthy dinner meeting held in Washington some three years or so ago when members of the Finance Committee staff engaged in constructive discussions with you during the formative stages of the PSRO effort. You were encouragingly and constructively critical then, and I assure you that your comments were given great weight in the development of the final form of the legislation. The staff people were particularly struck by your total concern with good medical care in general and good surgical care in particular. They told me of your desire to effectively contribute to and participate in the review process—as opposed to a desire to force your own interests upon the Congress.

I appreciate the fact that I am among friends. Because of that fact, and before I expound upon the specific areas you asked me to touch on, I would like to share some concerns about the fate of PSRO which have developed since it was enacted.

Quite candidly, I believe that the tremendous potential inherent in PSRO for improved medical practice may well not be realized if a stop is not put to the power struggles for control of PSRO administration and operation which seem to be going on in several arenas. Within the Department of Health, Education, and Welfare, PSRO has yet to assume substance—they are still playing the bureaucratic game of who will get to do what.

A contorted administrative situation has emerged as a result of which—a full year after enactment of the legislation—not a single PSRO area has been designated which has completely stymied those physicians in local areas who are anxious and willing to get going. Many of those physicians have communicated their sense of frustration to us, and, I must add, their frustration is no greater than mine. Soothing noises from officialdom are no substitute for solid, sensitive and responsive administration.

Tomorrow, supposedly, will be better—according to HEW. That is probably true, because today couldn't be much worse.

Then, in another arena, of course, we have the continuing and somewhat bitter efforts by some segments of organized medicine to seize control of the program for themselves claiming that practicing physicians in local areas are not competent or willing to effectively organize, operate, and be responsible for local Professional Standards Review Organizations. These local practitioners allegedly can be reviewed effectively only under the aegis of very large umbrella organizations. In other words, physicians at local levels—where medicine is practiced—are to be held accountable for the quality of that practice without being afforded the primary opportunity to accept the basic responsibility and authority for establishing and operating the review mechanism. I believe that it is absolutely vital to the success of Professional Standards Review that wherever possible it be locally-based on an organization large enough to support objective review, but small enough so that the individual doctor can identify with it and participate in it. Of course, when I say local levels, that could include Statewide PSRO's in some 15 or 20 smaller or more sparsely populated States.

There is no question in my mind but that the larger the organization the more remote the relationship with the individual practitioner, the less capable he is of identifying with its goals and activities, and the weaker will be his motivation to participate. And, the individual practitioner's sense of identification with and participation in the PSRO activities goes to the heart of what PSRO is all about—an educational process resulting from the broadest possible participation by doctors in an area in the review experience on an ongoing basis. The educational effect occurs during the continuing development, application and exposure to parameters of care outside of his own practice. If we are truly concerned about the quality of medical care, we must see the PSRO's more as instruments of improvements for every physician rather than as traps for the failing few.

As a layman, I can appreciate the sensitivity of having your day-to-day practice reviewed. I can also appreciate the need of the individual doctor to feel—and, in fact, have—a direct relationship with the review mechanism. That would be almost a one-to-one relationship to my mind, to an organization which is immediately responsive to his legitimate concerns and complaints—an organization in which, over time, he himself is reviewer as well as a reviewee. An organization which can be reached with a local phone call for resolution of a problem. An organization in which he can have a reasonable and direct say with respect to the standards of his practice and those of his peers in the area. It is *not* a distant organization which represents him, as a member, in terms of broad issues concerning medicine—it is an organization close at hand which is actually evaluating the care he provides to Mrs. Jones.

Given those sensitivities—given the sad history of review in the past—given the apprehensions with respect to arbitrariness, insensitivity and red tape—it's extremely difficult for me not to believe that we can enlist physicians generally as active participants in a review process supervised at a point remote from them and beyond their direct control.

That is why, gentlemen, we believe that Professional Standards Review Organizations can function as intended, only if they are organized and controlled at local levels rather than being considered as provinces under the overall direction of a benign and distant medical bureaucracy.

Last week this situation came to a head when Senator Bentsen of Texas offered an amendment in the Finance Committee which would alternatively allow the Secretary to designate statewide PSRO areas, and which says that the Secretary shall not refuse to designate an organization as a PSRO solely because of the number of physicians participating in such organizations.

I have met with local medical practitioners in the past and it has been their enthusiasm for local review which served as the basis for my position.

Now, however, I think it time to find out more definitively what local physicians throughout the United States feel about the relative values of local vs. Statewide review rather than what State medical society bureaucrats feel. Consequently, I am going to send copies of the remarks I have just made about the importance of locally based review to all of the larger county medical societies in the country and ask for their counsel.

In larger States, I should add that the law already provides for a formal body charged with responsibility for coordinating and evaluating the activities of the various PSRO's

in a State. The Statewide Professional Standards Review Council consists of one physician member from each PSRO, two physicians nominated by the State medical society, and two physicians nominated by the State hospital association and four public members knowledgeable in health care. The public members are anticipated to be nominees of the Governor. The physician members of the Statewide council also serve to hear any appeals by physicians or patients from adverse decisions of a local PSRO.

I want to emphasize at this point that a negative decision by a PSRO with respect to a procedure, service or stay relates only to whether the care will be paid for by Medicare or Medicaid. It does not deny the physician the right to admit his patient or perform the procedure; the PSRO decision related only to whether it is reasonable for the Government to pay for the admission or procedure.

Well, that's off my chest. I suspect that some of the panelists following me will pick the gauntlet up and, with precision and specificity, indicate exactly why and where they feel my apprehensions are unwarranted. I look forward—in fact need—to be bathed in warm reassurance.

Now, let's talk a little bit about what you as surgeons and as an organization might contribute to the Professional Standards Review process. We might begin by discussing parameters of practice which might be utilized by a given PSRO.

First, there are the derived parameters which may be obtained through summary and analysis of the way care is already being provided in the PSRO area or the region of which it is a part. Then there are the applied parameters which represent qualified professional consensus as to what care should or should not be provided. The applied parameters may or may not be consistent with the derived parameters in that given PSRO area. All of this, by the way, is allowing for reasonable and minor variation which may be due to differences in the availability of resources in the area.

I had anticipated that the National Professional Standards Review Council, under its authority, would contract with the American College of Surgeons which, in turn, with its constituent groups would prepare suggested parameters of proper surgical practice related to age, diagnosis and other significant variables. The development of these parameters—including factors such as normal length of preoperative and postoperative stay—would, of course, be a continuing process incorporating new knowledge from time to time, as appropriate.

These suggested parameters would then be transmitted to the local PSRO's which would be free to adopt them, or ignore them. Obviously, in my opinion, to the extent the parameters were professionally valid they would be welcomed and voluntarily adopted by local PSRO's.

All of this discussion with respect to parameters is not meant to imply a set of rigid rules but rather a feasible set of guidelines which allow for reasonable medical discretion. Basically, what we are talking about is a set of checkpoints beyond or below which it would be reasonable for his peers to ask a physician for further explanation or clarification. These are conceived of as rational, professionally-developed and applied checklists and not as barriers to necessary care.

This is a tough task and none of us expect these efforts to spring full-blown in perfect, easily applied and completely accepted form. My purpose here is to simply indicate the general direction and not to announce any arrivals.

The law requires regular periodic review of physician practice profiles—as well as patient profiles. In the case of the surgical specialties, that review might be enhanced by the maintenance of a Statewide roster of surgeons—or even a regional roster in the case of smaller States. Where there were only a few qualified specialists in a given PSRO area, their practice profiles could, to enhance objective review, be evaluated by comparable specialists in adjoining PSRO areas. The College of Surgeons could certainly take the lead in developing and maintaining those rosters with respect to the surgical specialist.

The evaluation of surgical practice leads to a tough question to which I have no answer but which will have to be answered ultimately; namely, the relationship in the review process between board-certified and board-eligible surgeons and other surgeons. I hate to just pass this question by, but you'll have to concede that I did raise it! Good luck!

Aggregate performance data will be assembled and presented annually for each PSRO. These comparative data will be made public. Apart from the obvious information relating to admission rates and lengths-of-stay, there will need to be developed appropriate indices of surgical patterns of practice. This is another area where the College of Surgeons could assist in developing valid benchmarks. I should add that these comparative data might well be evaluated more frequently than annually so that efforts to correct obvious problems in a given PSRO may be undertaken promptly and without negative fanfare. The interest here is not damnation but salvation!

Your invitation asked me to include some remarks with respect to the provisions relating to malpractice exemption and exemption from review liability. Perhaps the best explanation of those provisions is in the Finance Committee Report and I'd like to quote that at this time:

"The amendment provides protection from civil liability for those engaged in required review activities, or who provide information to PSRO's in good faith, for actions taken in the proper performance of these duties. Activities taken with malice toward a practitioner or institution, or group of practitioners would not be considered action taken in the proper performance of these duties. In addition, physicians and providers would be exempt from civil liability arising from adherence to the recommendations of the review organization (where it was a physician-sponsored and operated PSRO) provided they exercise due care in the performance of their functions. The intention of this provision in the amendment is to remove any inhibition to proper exercise of PSRO functions, or the following by practitioners and providers, of standards and norms recommended by the review organization. Thus, a physician following practices which fall within the scope of those recommended by a PSRO would not be liable, in the absence of negligence in other respects for having done so.

"Failure to order or provide care in accordance with the norms employed by the PSRO is not intended to create a legal presumption of liability.

"The exemptions from civil liability would apply to a range of patterns which fall within the scope of the norm, to the extent that such a range is considered acceptable by the PSRO in accordance with regulations of the Secretary. For example, the usual length of stay for a given illness might be 6 days, but an individual practitioner might only hospitalize his patient for 4 days. In this case the doctor might be motivated to keep his patient in the hospital for an extra 2 days to assure himself of exemption from liability. However, as described above, the PSRO could approve a range of norms, each of which was considered medically acceptable by the PSRO, which could encompass a hospital stay of 4 days as being sufficient. It is not intended, however, that this protection preclude the liability of any person who is negligent in performing PSRO functions or who misapplies or causes to be misapplied the professional standards promulgated by a review organization.

"A physician or provider should not be relieved of responsibility where standards or norms are followed in an inappropriate manner or where an incorrect recommendation by the PSRO is induced through provision of erroneous or incomplete information.

"Objective and impartial review must be provided by a PSRO if it is to be effective and respected. Malice, vendettas or other arbitrary and discriminatory practices or policies are by definition 'nonprofessional,' and in the unlikely event of such occurrences the Secretary is expected to promptly act to terminate the contract with the organization involved unless it immediately undertakes voluntary corrective measures."

Before concluding, I did want to once again express my belief that the Professional Standards Review legislation affords to the physicians of this country the opportunity to enhance their professionalism while, at the same time, visibly demonstrate to their critics that American medicine is responsible and publicly accountable.

In conclusion, may I call your attention to the fact that not once have I referred to unnecessary surgery or Commissioner Herbet Denenberg!

Thank you again for giving me this opportunity to visit with you.

U.S. SENATE,
Washington, D.C., October 13, 1973.

Hon. CASPAR W. WEINBERGER,
Secretary of the Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: As you know, earlier this week, during the Finance Committee's consideration of a number of amendments offered to the Social Security Law and other health and welfare programs, Senator Bentsen of Texas offered an amendment adding a new section to the bill, the text of which is as follows:

Section 1152 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"(g) In carrying out the provisions of this section, the Secretary *may* designate, as an appropriate area with respect to which a Professional Standards Review Organization may be designated, an area encompassing a whole State; and the Secretary *shall not refuse* to designate any qualified organization as the Professional Standards Review Organization with respect to such area *solely* because of the number of physicians in such State."

In my opinion, neither part of this amendment materially changes existing law. The first part, which affirmatively gives the Secretary the power, if he chooses, to designate a complete State as a PSRO area, is implicit in the present law because for obvious reasons it could not be specifically denied. All this new language does is to make it explicit.

The second part says that the Secretary may not make his decision with respect to the selection of a particular area or organization to carry out the PSRO Program solely because of the number of physicians in a State. I suppose this grew out of the fact that over the past few months the PSRO office in HEW has been discussing figures which might indicate the most desirable maximum number of physicians in any PSRO and this, in turn, has been interpreted as being a device by which a decision as to whether to designate statewide areas might be affected. I am sure that at no time have the people who have been working on this problem considered it to be the sole standard on which their recommendations might be based, inasmuch as the law itself and the

Committee Report specify a number of other criteria. The Committee also agreed, in approving the Bentsen provision, that priority in designation as a PSRO would continue to be given to qualified organizations at local levels.

It seems to me that in practice this should not cause you to change any of your present policies. It seems to me, rather, that these area designations must continue to be determined by a mix of many factors which may include numbers of physicians and also such factors as:

1. The number of physicians in any designated area must be large enough to include representatives of all the important medical disciplines.

2. The number should be small enough to give every physician a chance to participate in the reviewing process.

3. Geographically as a medical service area it must contain a significant number of medical facilities.

4. As a geographic area it should be small enough to keep the extent and cost of travel of the reviewers within reasonable limits.

I assume that all of these area considerations have been taken into account in the area designations that have already been worked out and I would like to repeat again that the Bentsen amendment does not contain any language indicating that these qualifications would have to be changed.

When the Bentsen Amendment was offered in the Finance Committee, I accepted it—fundamentally because I do not believe it substantially changes present law. Apparently, there are those who place a different interpretation on it. If modification of the Bentsen Amendment is necessary to make it clearly comport with my understanding, I will propose such a modification before the Committee finishes its work on H.R. 3153. Of course the bill, including the amendment, has to be adopted by the Senate as a whole, survive a conference and, if it finally is passed by Congress containing certain other major provisions, it will probably have to survive a veto. Therefore, there is plenty of time to straighten out the confusion that seems to have been created and I will welcome your cooperation. I felt it would be useful to give you my views on the question being raised and, with your permission, would like to release this letter to the press.

Sincerely,

WALLACE F. BENNETT.

WASHINGTON, D.C., INTERNATIONAL RACE FOR "HORSE OF THE WORLD" HONORS

Mr. MATHIAS. Mr. President, on November 10, the 22d running of the Washington, D.C., International will be held at the Laurel Race Course, in Maryland, for "Horse of the World" honors. From its inception in 1952, this race has captured the imagination of racegoers from the four corners of the globe. It has blended together a sound sporting idea with modern air travel to form an international spectacle ranking with the best worldwide contests. From Dublin to Rome, from Melbourne to Malta, from New York to Los Angeles, the International is a topic of conversation among sporting people.

The Washington, D.C., International was conceived by John D. Schapiro, president of the Laurel Race Course, with the idea in mind that the best horses of each country, meeting on the turf—which is the natural footing for thoroughbreds—and at the classic distance of a mile and a half, should have the opportunity to compete for the world championship, as in other sports. This event is an invitational affair and the foreign and American contenders must be winners of important races and possess outstanding records.

Last year, the U.S. Department of State expressed its appreciation for the work done by the International in the field of people-to-people diplomacy, and indicated, as a result, that thousands of people from other nations and other cultures have been introduced to our country.

The International has accomplished many important "firsts" for American racing. It was the first race anywhere in the world outside Great Britain where the silks of the Royal Family of England were in competition. It was the first race in the United States to include a horse owned by the late Sir Winston Churchill. It was the first race anywhere to lure Russian thoroughbreds from behind the Iron Curtain and it did so for 8 years.

It was the first race in America to have representatives owned by two presidents of Ireland. It was the first race in America to draw entries from the late Prince Aly Khan, and later Karim Aga Khan. It was the first race in America since 1923 in which an English Derby winner appeared. It is the first race anywhere in the world where horses from four continents met in a single race.

Since 1952, foreign participants have won 10 Internationals, the United States 11. The 21 foreign countries that have participated are Argentina, Australia, Belgium, Brazil, Canada, Denmark, England, France, Germany, Hungary, Ireland, Italy, Japan, Mexico, Singapore, Sweden, Uruguay, U.S.S.R., and Venezuela.

In the past 21 runnings, 150 thoroughbreds from 21 foreign countries have flown 961,792 miles to this race.

We, in Maryland, are proud of the global popularity of this great thoroughbred classic. It carries the name of Maryland all over the world. And the Washington, D.C., International, by its very name, is of prime importance to the vast amount of people all over the globe who have a strong affinity for the sport of horseracing.

THE BEATEN BISCUIT

Mr. MATHIAS. Mr. President, the beaten biscuit is to Maryland what the crepe is to France, pasta to Italy and matzoh to Israel.

But the beaten biscuit must be understood to be enjoyed. The uneducated sometimes are also unappreciative. When a gift of beaten biscuits is exported from Maryland by air mail special handling the recipient, in his ignorance, will assume that the unique consistency is somehow the result of having become stale in the mail. Only when he tastes the beaten biscuit and penetrates its hard shell will he discover the fresh rewarding treat awaiting him.

The character of the beaten biscuit is not a matter of chance. Its most important ingredient is elbow grease. Many youthful Maryland muscles, including my own, were developed by hours of pounding the biscuit dough with a hatchet or hammer. Not until the dough blisters and snaps will the true Maryland cook excuse the biscuit beaters from their task.

But the literature on the beaten biscuit has been singularly inadequate. Now, Mrs. Herman Orrell of Wye Mills has augmented her traditional production of biscuits with a history of this indigenous Maryland bread. I ask unanimous consent that a copy of Mrs. Orrell's interesting historical account be printed in the RECORD.

There being no objection, the account was ordered to be printed in the RECORD, as follows:

MARYLAND BEATEN BISCUITS

Maryland Beaten Biscuits originated in Southern Maryland and the Eastern Shore in the days of the Plantations and Manors. Probably due to the lack of leavening this method of making bread and getting it to rise was apparently the only way possible. This could have been the outgrowth of the Indian method of beating the corn for making food items. The biscuits consist of lard, flour, salt, sugar, baking powder, and water. Some recipes replace the water with either whole milk or skim milk. Prior to cooking the biscuits they have to be beaten in some manner. From my research it appears that the ingredients were mixed together by hand and then placed on a biscuit block to be beaten until the dough reached a point that the biscuit could be formed by hand into a smaller piece of smooth dough which eventually becomes the biscuit. It is known that the initial biscuit blocks were stumps from a hardwood tree, such as oak. I have been told by my grandparents that they were first used left in the ground after the tree was cut down. Later the blocks were mounted on legs and became part of the kitchen. The stumps were smoothed so that there would be no splintering and they became smoother through use since they were conditioned by the shortening used in the biscuits. A servant of the manor beat the dough with a special ax used only for this purpose. The ax could have been a bar of iron, a blacksmith hammer or a hardwood mallet.

Instead of beating the dough someone recognized that a rolling machine might accomplish the same trick. The machine worked well; it consisted of using a roller mounted on a slab of hard wood or marble To operate the machine, the roller was turned while feeding the dough so it was compressed between the roller and the slab. This process worked the dough as well as beating and was less difficult to perform. To determine when the dough was ready to be made into biscuits, the person beating or rolling merely listened to the snapping and cracking sounds of trapped air being released that emanated from the dough.

Each biscuit was and still is shaped by hand. The dough is kneeded by the fingers in such a manner to make the biscuit smooth on all sides. This process gives the outside of the biscuit a surface tension that it needs to keep its shape while cooking. We have explored various methods to accomplish this process by machine but nothing has yet been devised that will allow the biscuit to be cooked and still maintain a smooth outer surface. After being shaped they are placed on a cooking pan. My Grandmother would use the ball of her hand to press the biscuit down and pick the tops with a fork. Many people had regular picks made similar to the one we now use for the biscuits we make.

The biscuits are baked in a very hot oven until golden brown. They were not normally eaten hot since they were basically a weekend bread and kept for Sundays and visitors. After being cooked they were placed in a covered crock for future use. The biscuit

making process usually was done early Saturday morning as were all the other preparations for Sunday. When weekend visitors were at the Manor they would be awakened by the pounding of the biscuit hammer and the aroma of the biscuits baking.

The primary use of the biscuits in past years was with chicken salad, country ham, home made jellies, butter and preserves. In recent days they are being used in other ways in addition to the ways of old, although now are many times eaten warm. We also use them as a cocktail sandwich with country ham, cheese, fish or anything that is used for light snacks such as melting cheese on the biscuit. The biscuit is hard and crusty on the outside but soft and doughy on the inside. To eat the biscuit, cut it in half and place what you intend to use with them on each half. They are edible until becoming moldy which will only occur in environments of extreme heat coupled with high relative humidity. They can be frozen and kept for long periods; heating for three to five minutes after removing from the freezer will bring the biscuits back to a fresh out of the oven state. Under normal storage the biscuits become extremely hard but are still very much edible, in fact some people desire them in this condition. After becoming hard or what some consider stale, the biscuit has another use. They can be easily ground into crumbs and used for breading purposes such as pork chops or used for thickening. The crumbs also provide an excellent base for pancakes by adding eggs, baking powder, shortening, and blending with milk.

Much of the above information stated has been obtained through extensive research of Eastern Shore History and direct experience and quotations from my ancestors who have been on the Eastern Shore for many years. The exact origin and specific knowledge of the person or group that started making the Maryland Beaten Biscuit is not known to me. I do know that the biscuits are an old Maryland food since my recollection and information from ancestors dates to the beginning of the 18th Century which makes the Maryland Beaten Biscuit a part of the Eastern Shore heritage. We the Orrell family are continuing to make biscuits in the old way and are proud of our product. We hope that the information presented herein helps you enjoy the Maryland Beaten Biscuit as much as we do with the knowledge that you perhaps are eating an original American bread. Thank you for taking the time to visit our bakery and having enjoyed our biscuits.

Prepared and Written by Orrell's Maryland Beaten Biscuits, Box 7, Wye Mills, Maryland 21679.

RECESS TO 11 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess until the hour of 11 a.m.

The PRESIDING OFFICER. Without objection, the Senate will stand in recess until 11 a.m.

Whereupon, at 9:59 a.m., the Senate took a recess until 11 a.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. BENNETT).

QUORUM CALL

Mr. STAFFORD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUGH SCOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection it is so ordered.

RECESS SUBJECT TO CALL OF THE CHAIR

Mr. HUGH SCOTT. Mr. President, I now move that the Senate stand in recess subject to the call of the Chair.

Whereupon, at 11:16 a.m., the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 12:01 p.m., when called to order by the Presiding Officer (Mr. ABOUREZK).

ORDER FOR ADJOURNMENT TO TUESDAY, OCTOBER 16

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns today, it stand in adjournment until 12 o'clock noon on Tuesday next.

The PRESIDING OFFICER (Mr. ABOUREZK). Without objection, it is so ordered.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS ON TUESDAY, OCTOBER 16, 1973

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on Tuesday next, after the recognition of the two leaders or their designees under the standing order, there be a period for the transaction of routine morning business for not to exceed 1 hour, with statements limited therein to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM TUESDAY, OCTOBER 16 UNTIL THURSDAY, OCTOBER 18, 1973

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business on Tuesday, it stand in adjournment until 12 o'clock noon on Thursday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR INDEFINITE POSTPONEMENT OF A RESOLUTION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Senate Resolution 187, which I submitted yesterday, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER TO NOTIFY THE PRESIDENT OF THE CONFIRMATION OF A NOMINATION

Mr. ROBERT C. BYRD. Mr. President, as in executive session, I ask unanimous consent that the President be notified of the confirmation of the nomination on yesterday of Mr. Daniel Parker.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTIFICATION TO THE PRESIDENT OF CONFIRMATION OF NOMINATIONS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent, as in executive session, that the President be notified of the confirmation of any nomination that has previously been acted upon by the Senate up to this moment, where the notification has not yet reached the President's desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 1435) to provide an elected Mayor and City Council for the District of Columbia, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 184. Concurrent resolution to print as a House document the Constitution of the United States;

H. Con. Res. 275. Concurrent resolution providing for the printing of one thousand additional copies of the hearings before the Subcommittee on the Near East of the Committee on Foreign Affairs entitled "U.S. Interests In and Policy Toward the Persian Gulf";

H. Con. Res. 278. Concurrent resolution authorizing the printing of additional copies of the joint committee print "Soviet Economic Prospects for the Seventies";

H. Con. Res. 301. Concurrent resolution providing for the printing as a House document "A History and Accomplishments of the Permanent Select Committee on Small Business of the House of Representatives"; and

H. Con. Res. 322. Concurrent resolution to reprint and print the corrected Report of the Commission on the Bankruptcy Laws of the United States.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The following concurrent resolutions were severally referred to the Committee on Rules and Administration:

H. Con. Res. 184. Concurrent resolution to print as a House document the Constitution of the United States;

H. Con Res. 275. Concurrent resolution providing for the printing of one thousand additional copies of the hearings before the Subcommittee on the Near East of the Committee on Foreign Affairs entitled "U.S. Interests In and Policy Toward the Persian Gulf";

H. Con. Res. 278. Concurrent resolution authorizing the printing of additional copies of the joint committee print "Soviet Economic Prospects for the Seventies";

H. Con. Res. 301. Concurrent resolution providing for the printing as a House document "A History and Accomplishments of the Permanent Select Committee on Small Business of the House of Represeentatives"; and

H. Con. Res. 322. Concurrent resolution to

reprint and print the corrected Report of the Commission on the Bankruptcy Laws of the United States.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States, submitting a nomination, was communicated to the Senate by Mr. Marks, one of his secretaries.

NOMINATIONS FOR VICE PRESIDENT

Mr. PELL. Mr. President, I am deeply disappointed that President Nixon omitted from among his criteria for the Vice President the qualities which I consider most important, those for which the American people are yearning and reaching and searching—those of character, honesty, and integrity.

Those qualities are doubly important at a time like this, when the President's previous choice for this job was found lacking in them, and when the President himself is under fire on the same score.

It is on the basis of these qualifications as well as President Nixon's, that we in the Senate must make our choice in this regard.

I believe that Mr. FORD has these qualities, and that he will be approved for the august office to which he has been nominated.

EXECUTIVE SESSION—NOMINATION OF GERALD R. FORD, OF MICHIGAN, TO BE THE VICE PRESIDENT OF THE UNITED STATES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER (Mr. ABOUREZK). The Chair lays before the Senate a message from the President, which the clerk will state.

The assistant legislative clerk read as follows:

To the Congress of the United States:

Pursuant to the provisions of Section 2 of the Twenty-fifth Amendment to the Constitution of the United States, I hereby nominate Gerald R. Ford, of Michigan, to be the Vice President of the United States.

RICHARD NIXON.

THE WHITE HOUSE, *October 13, 1973.*

The PRESIDING OFFICER. The Chair refers the nomination to the Committee on Rules and Administration.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

ORDER FOR COMMITTEE ON RULES AND ADMINISTRATION TO MEET TODAY

Mr. CANNON. Mr. President, would it be in order to ask unanimous consent that the Committee on Rules and Administration be permitted to meet today while the Senate is in session?

The PRESIDING OFFICER. The Senator may make that request.

Mr. CANNON. I make that request and ask unanimous consent.

The PRESIDING OFFICER. Without objection, it is so ordered.

QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ALLEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO SENATOR BAYH, OF INDIANA, IN CONNECTION WITH THE 25TH AMENDMENT

Mr. ALLEN. Mr. President, with the 25th amendment to the Constitution now being implemented and the President having sent to Congress his nominee for the Vice President, I think it would be appropriate at this time that a special word of tribute be made to the distinguished junior Senator from Indiana (Mr. BAYH) for the leadership he exerted in working over the years to obtain passage of and submission to the States of the 25th amendment.

It seems strange that with the several instances we have had in the history of our country where there were vacancies in the office of the Vice President by reason of the Vice President's moving up to the Presidency, it took almost 180 years for Congress to take sufficient note of that hiatus, that omission of our Founding Fathers, and to initiate legislation which submitted a constitutional amendment to the States.

The distinguished junior Senator from Indiana (Mr. BAYH), as chairman of the Subcommittee on Constitutional Amendments of the Committee on the Judiciary, did offer and afford leadership for commission by the Congress of that amendment. It does seem strange that for almost 180 years we had a situation under our Constitution where there was no provision made for filling the office of the Vice President in the event a vacancy occurred.

Thus, as we comment on the choice of the President of the Vice President, as seems to be the general feeling that a good appointment has been made, I think it only right, fair, and proper that special tribute be made to the distinguished Senator from Indiana (Mr. BAYH).

I might state further that the Committee on Rules and Administration, I am sure, when it holds hearings on this nomination, will do more than merely hold perfunctory hearings. I feel that it will recognize it has a duty to perform, that full and fair hearings must be held, in order that a recommendation can be made back to the Senate.

Mr. President, the purpose of my rising at this time is to compliment the distinguished Senator from Indiana (Mr. BAYH) for offering this amendment, for the leadership he displayed in seeing that this hiatus in our basic law was filled, and that a system has been set up where vacancies can be filled in the office of the Vice President.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the leadership had indicated some time ago that because of the fact that the Senate had expedited the business of the people, the Senate would have a recess for a period of 2 weeks. Nothing has happened insofar as the business on the calendar of the Senate is concerned which would change that situation.

Certain events have occurred here and abroad which, however, I think require that the Senate not take such a 2-week recess. So, the leadership has decided—and has so indicated prior to today—that until there is enough work to necessitate otherwise, the Senate would go over from time to time and meet at rather frequent intervals, so that in the event an emergency should occur or in the event a conference report should come over from the other body, or a bill or any other measure should come from the other body, requiring action by the Senate, and requiring rollcall votes, the Senate would be prepared to take action.

The leadership has assured, and wants to reassure the Members, that when such conference reports come from the other body, they will be acted on, if possible, by voice vote; but, if, at any time, it is indicated that a rollcall vote is necessary, the leadership will do everything possible to inform Members and to protect them so that they will have time to get back and be present at the time such rollcall vote is taken. At the moment, I do not see any such problem arising.

The nomination of Mr. FORD to the office of Vice President has been referred to the Committee on Rules and Administration. The Rules Committee and other committees may continue to act even though the Senate is not in session. So the fact that the Senate is not in session will not in itself mean any delay whatever in the Rules Committee's actfons in connection with that nomination.

The distinguished Senator from Wisconsin (Mr. PROXMIRE) called up his conference report today on the HUD appropriation bill, and that conference report was adopted by voice vote, and it is anticipated that other conference reports coming over during the next few days can be handled likewise.

I have just discussed with the distinguished chairman of the Appropriations

Committee (Mr. McCLELLAN) the possibility that other conference reports could come over, dealing with appropriations bills, and I am authorized by him to proceed with the consideration of those conference reports, to be handled by voice vote where possible, and it will be agreeable with him for the Senate to act.

I think I have said about all I can say by way of assuring the Members that regarding whatever plans they have made for the 2-week recess, they can proceed, reasonably assured that they can complete those plans.

May I reiterate that the Veterans Day recess, as previously scheduled, will be observed. That recess was to go from the close of business on Thursday, the 18th, until 12 o'clock noon on Tuesday, the 23d. That recess will be observed.

I hope there will not be any rollcall votes during the next 2 weeks, but this does not mean that the Senate will not be meeting at least a couple of days each week. Speeches can be made, business can be transacted by unanimous consent, and voice votes may be taken. Again, the leadership will do everything possible to protect all Members if it is indicated that rollcall votes may be in the offing.

I yield to the distinguished Senator from Wisconsin.

Mr. PROXMIRE. It is my understanding that the Senate will convene on Tuesday. Is that correct?

Mr. ROBERT C. BYRD. The Senator is correct.

Mr. PROXMIRE. And there is a strong possibility that the school lunch conference report may be before the Senate on Tuesday. Is that correct?

Mr. ROBERT C. BYRD. That is correct, yes.

Mr. PROXMIRE. In the event that a yea-and-nay vote is called for on this conference report, the Senator said that the leadership will do all it can to protect Senators and notify them in advance. Would it be possible, in that event, to have that put over until, say, Thursday, so there will be 48 hours' notice for Senators to come back to vote?

Mr. ROBERT C. BYRD. Yes. The leadership will do everything in its power to see that that is done.

Mr. GRIFFIN. Mr. President, it is my understanding that there has been a request from a Member on our side that there be a rollcall vote on that conference report. I did not realize it until just now. So I think perhaps the majority leadership should take that into consideration in scheduling.

Mr. ROBERT C. BYRD. In the event that the Member—and he has every right to do so—persists in his desire that there be a rollcall vote on that conference report, perhaps the rollcall vote could occur on Thursday next, if it would meet with the approval of that Senator and other Senators. Whether or not such a rollcall vote could be put over until the duration of the 2-week recess, I am in no position to say.

Mr. PROXMIRE. I thank the Senator.

Mr. GRIFFIN. I thank the distinguished majority whip. He has provided us with a great deal of information, and I know it will be very helpful to the Members of the Senate as they try to figure out what to do during this period.

Mr. ROBERT C. BYRD. Mr. President, I shall suggest the absence of a quorum, hoping that this will be the final quorum call of the day and the week.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO TUESDAY, OCTOBER 16, 1973

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon on Tuesday next.

The motion was agreed to; and at 12:21 p.m. the Senate adjourned until Tuesday, October 16, 1973, at 12 o'clock noon.

NOMINATION

Executive nomination received by the Senate October 13, 1973:

VICE PRESIDENT OF THE UNITED STATES

Pursuant to the provisions of Section 2 of the 25th amendment to the Constitution of the United States, GERALD R. FORD, of Michigan, to be the Vice President of the United States.

CONFIRMATION

Executive nomination confirmed by the Senate October 13, 1973:

ATOMIC ENERGY COMMISSION

Donald R. Cotter, of New Mexico, to be Chairman of the Military Liaison Committee to the Atomic Energy Commission.

(The above nomination was approved subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

EXTENSIONS OF REMARKS

MAN PLUS SHUTTLE: AMERICA'S FOOTHOLD IN SPACE

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. TEAGUE of Texas. Mr. Speaker, Mrs. Russell E. Greenwood of Swansea, Mass., an outstanding writer on the American space program, published an article in August 17 edition of the Fall River Herald News which explains well the importance of our national space program, its current achievement with Skylab, and the importance of a low cost Earth to orbit transportation system, the space shuttle.

I am including this significant article in the RECORD for the benefit of my colleagues and the general public.

[From the Fall River (Mass.) Herald News, Aug. 17, 1973]

MAN PLUS SHUTTLE: AMERICA'S FOOTHOLD IN SPACE

(By Barbara Greenwood)

"If we hadn't been able to deploy the heat shield, we would have essentially had a scrubbed mission . . ." These are the emphatic words of William Schneider, director of the Skylab program.

All of us should feel a deep sense of pride in the derring-do and competent know-how of our three astronauts (Messrs. Conrad, Kerwin and Weitz) who, with our superb ground support team, proved their spacemanship in overcoming extreme technical difficulties in a hostile environment and who certainly do not know the meaning of the words, "this cannot be done"!

We have only to pause and think about this successful man-in-orbit maintenance of our Skylab I to realize fully the importance of a manned space program. And further steps must be taken to actualize the full potential of our capability, which brings our space shuttle program into its proper perspective—the human element! The shuttle will be our "foothold in space"; however it is only our initial step into the infinite universe!

The human spirit has an innate need for involvement in exploration and our beginnings in the space program were that kind of an enterprise as well as in research of science and technology; each separate effort vastly altered our sense of proportion to ourselves and the world around us. Through the magic of television, we earthlings were able to see for ourselves a fragile planet—shimmering in a void of blackness—and at that moment we temporarily forgot the technical wizardy our Nation is blessed with; we felt, instead, an almost mystical new vision of man and earth.

Instantly, we were aware that we are all travelers together through the vacuum of space. Our worldly problems—population, food, race, resources and energy—know no national limits. In the long march of history, political and economic enthusiasm for exploration and discovery has waxed and waned but there is one invariable that assured success, i.e. man's resolution and motivation. These human attributes continue to exist and our Nation—along with other nations—should forge ahead and nurture our highest goals of achievement in space exploration and research for in this age of instant communication, we cannot afford to sit back and just reminisce! Arthur Clarke, a noted writer, bluntly stated, ". . . a nation which concentrates on the present will have no future . . ." We cannot—we must not—turn our backs on the future.

And our space shuttle is America's future! It is the key to American power and productivity in space for the rest of this century. We need the ability to use space routinely and cheaply and extensively for scientific research, practical benefits and national security; therefore, there is no substitute for the shuttle. It is the logical next step forward.

The shuttle will safely and comfortably transport scientists, technicians, astronauts

into orbit while delivering payloads. This permits direct participation in space experiments and observations by the top men and women in their fields. As a result, mankind will harvest enormous benefits as the promise of space flight is fulfilled, i.e. updating inventories of our resources (water, crops and minerals) allowing more effective application of these very resources in meeting human needs! Another plus is the scientific payloads which will acquire new data on the chemistry and physics of the sun and the stars and may provide the key to facilitate the development of unlimited, pollution-free power for the needs of man. In addition, the program will provide a spearhead for advancing our technological capabilities so necessary for retaining our foreign markets and our standard of living. It is important to remember—the solution to such problems may result only from the manned scientific experiments and observations made in earth orbit and lunar space.

Our entire space program has been varied and complex as are the skills required to successfully accomplish each segment of the program. Yet no task was inconsequential, no job too trivial and no individual unimportant! The tens of thousands of workers in government and private industry who have been employed because of our space program is beyond comprehension. Consequently, we should guard against our own short-sightedness and prevent the dissidents from making a mockery of our technical expertise. Our earth's destiny is truly in the path to the stars; we should now set our sights on the larger target, for our Apollo lunar program was the twinkle of adventure; our Skylab missions will jell adventurism with benefits to mankind; our space shuttle is the connecting link to outer space. Indications are most favorable at this moment in time where international scientific cooperation is already surfacing. There can be no scoffing at the suggestion of international laboratories (space stations) in orbit around earth—a perfect stopping-off place for man's eventual journey to other planets, such as Mars, and ultimately to colonize the moon!

Space and social programs are not mutually exclusive; they must exist together, each with its own importance. James E. Webb, the former administrator of NASA, made this statement, ". . . the world of space holds vest promise for the service of mankind and it is a world we have only begun to explore . . ." and former astronaut, Frank Borman, made this statement to Congress upon his return to earth from man's first flight to the vicinity of the moon: "Exploration really is the essence of the human spirit, and to pause, to falter, to turn back on the quest for knowledge is to perish."

Prayerfully, I hope that this nation will be the one which leads, not lag!

COLUMBIA CITY HALL

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. SPENCE. Mr. Speaker, beginning on September 30 and continuing through Sunday, October 21, 1973, the South Carolina Department of Archives and History in cooperation with the Columbia Museum of Art is sponsoring an exhibition of the architectural drawings of the Columbia City Hall, a building designed by the talented and renowned Alfred B. Mullett. While he designed many well-known structures, he is best known for the old State, War, and Navy Building here in Washington, which now serves as the Executive Office Building.

Recently, Mrs. James T. "Florence" Myers made an in-depth study of the history of the Columbia City Hall, which is listed on the National Register of Historic Places. I understand that it was during the course of her research that she discovered the original Mullett drawings of this famous structure. Mrs. Myers, an employee of the South Carolina Department of Archives and History, has a background in art history and was once employed here in the National Gallery of Art.

In preparation for the current exhibition of the drawings, a brochure has been printed in which Mrs. Myers outlines in some detail the history and background of the Columbia City Hall, its architect, and the drawings themselves. I am pleased to include the text of the brochure at the end of my remarks and I commend it to the attention of each of my colleagues. While it will be of particular interest to history buffs, I believe that it will have a strong appeal for every citizen. Further, I hope that any of you who visit Columbia in the future will make it a point to visit this unique and historic building. The text of the article follows:

COLUMBIA CITY HALL

THE BUILDING

The Columbia City Hall was originally designed as a United States Courthouse and Post Office; aside from the State House, it is the oldest government building in Columbia. It was designed by Alfred Bult Mullett, Supervising Architect of the U.S. Treasury, in 1870. As early as 1857, the federal government appropriated $50,000 for a courthouse and post office in Columbia, South Carolina. The Civil War interrupted these first plans. In 1870, thirty-five Columbia citizens purchased a tract of land on the corner of Laurel and Richardson (now Main) streets for $2,500 which they donated to the government for a building site. Construction began on this site in 1871; the building was completed in 1874 at a total cost of $407,189.17. At today's prices this would mean that the building would cost more than $2,000,000, provided that materials and skilled stone masons could be found.

The building is constructed of beige Fairfield granite, which was quarried twenty miles north of Columbia; wall surfaces are smooth ashlar with rusticated quoins at the corners. Drawings No. 14 and No. 16 indicate that each one of these stones was numbered and measured exactly to fit into its designated space. These smooth granite walls contrast well with the richly-carved decorative elements—modillions, cornice, window trim, pediments—to create a strong three-dimensional effect. The resulting light and shadow add to the sculptural quality of the building.

Rectangular in plan with central pavilions on each facade, the building has three stories above an arcaded basement. Window styles vary from story to story: first-story windows and doorways are arched; second-story windows are pedimented and framed with pilasters; third-story windows are framed by hood mouldings with keystones in the centers. Projecting beltcourses divide the floors.

The cross-hipped roof, the cast-iron hexagonal skylight, circular iron ventilators, and stately granite chimneys are among the most notable aspects of the building. Because of their pure geometric shapes, the chimneys, skylight, and ventilators seem to be designs of the twentieth century rather than of the nineteenth.

Mullett's concern with geometric patterns is further reflected in his use of circular, triangular, and rectangular motifs in the third floor courtroom, now the City Council Chamber. This room, basically neo-Renaissance in spirit with egg-and-dart, foliated scroll, and pearl mouldings, and the entirely altered first-floor post office, were given the most lavish decorative schemes.

THE SECOND EMPIRE STYLE

Alfred B. Mullett is recognized by architectural historians today as one of the major architects of the Second Empire style in America. Basically derived from French interpretations of Renaissance designs, the Second Empire style gained acceptance in America during the late 1850s, reaching its zenith during the 1870s. After decades of experimentation with derivative styles, mainly Gothic and Egyptian—which had themselves been reactions against the order and restraint of the Greek revival in the earlier part of the century—many architects were anxious to find new vehicles for expression. Mullett was one of these architects. A trip to Europe in the late 1850s and his possible contact with Richard Mooris Hunt, the first American architect to study at the Ecole des Beaux Arts in Paris, stimulated Mullett's interest in Second Empire architecture. Characterized by rich carving, classical proportions, high mansard roofs, wide overhanging modillioned cornices, and tall chimneys, Second Empire architecture is both rationally ordered and richly sculptural. Compared to the neo-classical designs of Robert Mills, who was Architect of Public Buildings from 1836 to 1851, or those of Ammi B. Young, who held that office from 1852 to 1862, Mullett's buildings are massive in size and lavish in detail. In an eclectic architectural period, Mullett favored a rational approach based upon the French academic tradition. A man of definite opinions, Mullett wrote that "classical architecture alone is suitable for large secular edifices," and that this style was "equally adaptable to a large building as a small one."

Although Mullett worked from classic texts on architecture which illustrated details of buildings, noting precise measurements and relationships of parts, he did not copy earlier buildings. Instead, his designs were like academic puzzle pieces which he assembled with imagination and skill. He designed the largest number of major buildings in this style, and during the period in which he held the office of Supervising Architect of the Treasury, he received the most expensive commissions of any American architect.

THE ARCHITECT

Born in Taunton, England on April 7, 1834, Alfred B. Mullett came to the United States with his parents when he was eleven years old. They settled in Glendale, Ohio, a small town just outside Cincinnati. Documentation for Mullett's student days is sparse, but he probably attended either the Ohio Mechanic Institute or the University of Cincinnati. In the late 1850s he left Cincinnati for a European tour. When he returned to America he became a partner of Isaiah Rogers, a Cincinnati architect. Rogers became Supervising Architect of the Treasury in 1862 and was perhaps instrumental in bringing Mullett to Washington the following year to become clerk in the bureau of construction.

Mullett officially succeeded Rogers as Supervising Architect of the Treasury on May 29, 1866. In practice, however, he was responsible for the post, a position appointed by the President of the United States, from October, 1865. He held the office until November, 1874. The Supervising Architect of the Treasury was required to design and oversee construction of new government buildings and to maintain all buildings owned by the federal government. Mullett was responsible for about 120 buildings and designed approximately 36 structures during

his years in office. Only half of these buildings remain today. At the time, the buildings' total cost was $55,000,000, a sum comparable to more than $300,000,000 today.

Mullett is best known for the State, War, and Navy Building in Washington, now the Executive Office Building. With its pavilions, high mansard roofs, and intricately-carved columns, pediments, and window frames, it is a masterpiece of Second Empire design. Other ambitious buildings were the courthouses and post offices in Philadelphia, New York, Cincinnati, and St. Louis; Mullett's Branch Mint in San Francisco has been called one of the last great monuments of the Classical revival.

Custom houses, post offices, and courthouses were designed by Mullett for—to cite only a few—Astoria, Oregon (1869–73), Rockland, Maine (1873–77), St. Paul, Minnesota (1867–73), and Cairo, Illinois (1869–72). They ranged in size from small two-story structures to elaborately ornamented edifices. The Columbia City Hall—which would fit midway between the two extremes—is one of Mullett's most beautifully-proportioned Renaissance revival buildings.

When Mullett resigned from his post in 1874, he agreed to continue as Superintending Architect of six major buildings. He established an architectural firm in Washington, D.C. in 1875 with his two oldest sons, Thomas and Frederick; fifteen years later, in 1890, he committed suicide.

THE NATIONAL REGISTER OF HISTORIC PLACES

The Columbia City Hall is listed on the National Register of Historic Places as site of national significance. For the building to achieve this status, both the South Carolina Board of Review, composed of members of the South Carolina Archives and History Commission, and the Office of Archeology and Historic Preservation, United States Department of the Interior, judged the Columbia City Hall to be an important architectural achievement. According to the National Historic Preservation Act of 1966, only properties that are "significant in American history, architecture, archeology, and culture" are included. Further provisions state that the National Register is "a protective inventory of irreplaceable resources" in our nation. Published biennially, the National Register lists more than 6,600 properties nationwide; of these South Carolina currently has 247 places listed.

THE DRAWINGS

There are 42 drawings of the old Columbia Courthouse and Post Office signed by Alfred B. Mullett in the collection given by the City of Columbia, in August 1973, to the South Carolina Department of Archives and History for safekeeping and preservation. In addition to all four exterior elevations, the collection contains drawings of the sectional elevations, points of structural stress, and floor plans for each story. Included also are numerous illustrations of interior and exterior details, such as column capitals, the post office screen, windows and doors, stairways, brackets, and mouldings.

Of particular interest are the drawings of full size details (Drawings Nos. I, II, III, and IV); several are superimposed on the same sheet for the sake of economy and efficiency. Their strong lines and fluid silhouettes are especially pleasing to the twentieth century eye. Also notable are the drawings of the federal courtroom on the third story; these drawings reflect the importance of this room as a climactic point in the overall design. Drawing No. 18, a vertical section of the building, illustrates this conclusively. Situated in the center of the building it is the only room on that floor with high ceilings and a skylight tower which is hidden by a subceiling. The interior drawings of this room, Sheets No. 33 and 34, illustrating lavishly carved italianate mouldings, brackets, panels, and pilasters, reveal the elaborate decorative scheme for the courtroom.

The structural systems illustrated in the drawings also deserve comment, for they are of the highest quality and are representative of the method of construction used at the time. The brick arches and wrought-iron floor beams, which can be seen in Drawings No. 17 and 18, were a means of fireproofing the building. Note also the iron nuts and bolts used in the construction of the skylight (Drawing No. 26). The roof trusses were also iron and the exterior walls of load-bearing masonry construction.

In the latter half of the nineteenth century, classes in drawing were an integral part of the architect's training and many hours were spent mastering precise techniques in draftsmanship. Architectural firms employed young draftsmen who by following rough plans by the supervising architect, drew up sheets of detailed specifications to be signed by the architect in charge. Although the sheets in the collection are signed by Mullett, they were probably executed by various members of his staff. Staff members also tinted the drawings in standard colors to specify the type of material to be used; pink is used for brick; grey for stone; tan for wood, often simulating woodgrain.

Each one of the drawings represents a large investment of time and creative energy. Although each was drawn for a specific purpose, that is, to present visual directions for carpenters, masons, ironworkers, and plasterers, they are all beautifully drawn and meticulously executed. Each stands on its own as an individual work of art.

GENOCIDE IN PARAGUAY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. RANGEL. Mr. Speaker, our Government's capacity to ignore brutal and repressive regimes who go so far as to practice genocide against their populations so long as these governments pass a litmus test proving their anticommunism has, unfortunately, often been noted.

The hypocrisy of our claim that we were fighting for freedom and self-determination in Vietnam while we supported a succession of dictatorial regimes in South Vietnam was enough to turn off a generation of American youth. Vietnam, however, is just one area in which we have ignored moral, and even legal, considerations to back a regime because it has been sufficiently anti-Communist despite the negative effects such U.S. backing has had on the native population—and shockingly, on our own citizens.

I think now specifically of the well-documented tolerance of the CIA for international drug trafficking in Southeast Asia so long as the smugglers are willing to fight against communism or had sufficiently good connections in friendly governments. I also speak of the reluctance of our Government for many years, and still today, to terminate foreign and military assistance to governments which have not been very vigorous in their efforts to eliminate the profitable narcotics trade and traffic indulged in by their nationals because these governments are our allies against the Communist bloc.

The negative domestic consequences of this anti-Communist international policy have been evident to us all in the increasing numbers of our children addicted to narcotics.

Our continued morally repugnant support of the apartheid regimes in Southern Africa is an outrage, but unfortunately it is not an aberration in our foreign policy.

In our own hemisphere this Nation has earned the same reputation it has in Africa by its support of those governments who have been most brutal in their subjugation, repression, and even elimination of their native Indian populations. Such a case is the Government of Paraguay.

Paraguay, recipient of massive U.S. aid since 1954, is currently represented by a government whose policy is the genocidal extermination of Paraguyan Indians.

The documentation of these charges in an article by Richard Arens, professor of law at Temple University, which appeared in the Nation magazine on September 24, 1973, raises the question of American complicity in genocide if our aid to Paraguay is not immediately stopped. If the practices described in the Arens article are not discontinued by General Stroessner, we should recall our Ambassador and introduce a resolution of censure in the Organization of American States. We have shown in Chile the capacity to intervene against a government whose policies offended our economic interests. Would that we were willing to do the same against a government whose policies offend the moral sensibilities of many Americans.

I place the Nation article by Professor Arens in the RECORD for the information of my colleagues.

The article follows:

PARAGUAYAN INDIAN HUNT

(By Richard Arens)

On June 4, 1973, the University of Bern released an open letter to the Paraguayan Government. It charged that carefully organized massacres of Aché Indians (otherwise known as Guayaki, of Tupi linguistic stock), added to the detention of Aché Indians in "reservations" indistinguishable from Nazi concentration camps and calculated to insure physical and psychological collapse, had taken on genocidal proportions and had been carried on with the apparent approval and indeed connivance of Paraguayan governmental agencies.

The picture sketched by the University of Bern leaves one with a sense of horror hitherto induced only by the picture of the Nazi "final solution." In some respects, the picture is indeed more dismal.

Achés are being systematically hunted by armed raiding parties. Men, women, and children are being indiscriminately mowed down in such "hunts." The preferred weapon of the massacre is the machete, which saves the expense of bullets.

An exception may be made for Achés who submit to being tamed and trained as killers of their own kindred. Their reward is a diet capable of insuring survival and the assignment of captured Aché women as their "wives." Both the Aché killers and their "wives" may be guaranteed survival during

good behavior. Those willing to accept unadulterated slavery may also be kept alive for indefinite periods as work hands at a bare subsistence level and without medical attention. The use of their language is discouraged; their traditional music prohibited. The attendant death rate from diseases of malnutrition and sheer lack of will to survive is decimating them.

This inevitable attrition is accelerated by such acts as that reported by a team of anthropologists—that "about one-half . . . [of a] recently captured band [of Achés on a reservation] was liquidated, partly by the conscious withholding of food and medicine."

The rites of their religion are denied the Achés even in death. What is felt by the survivors is pervasive melancholy and a sense of degradation, rarely capable of verbalization, yet occasionally captured in a "weeping song," taped by an anthropologist, in which the singer laments the end of the Aché Nation and "regards himself as no longer an Aché and not even a human being . . . [and] as half dead."

Yet another group permitted to survive may be children, largely girls (ranging from 10 years upward). These are being sold as slaves, principally for sexual purposes. And as if in a nightmare world we read of yet another "weeping song," recorded on tape by an anthropologist in March of 1972 in which "the perhaps 30-year-old Aché woman Kanechirigi complains that she does not know what has happened to her daughters, who are now living "in the houses of mighty Paraguyans'." The price of an Aché girl, quoted by a German anthropologist, whose eyewitness account constitutes one basis of the open letter of the University of Bern, is in the neighborhood of $5.

Not unreasonably, the open letter of the University of Bern demands the immediate cessation of these crimes and the criminal prosecution of all those responsible, regardless of their station of life.

The Genocide Convention, which has been signed by Paraguay, and which must be viewed as a part of the customary Law of Nations, explicitly encompasses all of the activities described in the Bern indictment.

In addition to genocide, the convention renders "complicity in genocide" subject to punishment as an international crime and declares that persons committing genocide *or* accomplices therein "shall be punished whether they are constitutionally responsible rulers, public officials or private individuals."

The accusations contained in the open letter by the University of Bern are based upon extensive first-hand observation. The pioneering study in this field has been presented by a German anthropologist, Dr. Mark Münzel. Titled "The Aché Indians: Genocide in Paraguay," and published in 1973 by the International Work Group for Indigenous Affairs in Copenhagen, it cites first-hand account upon first-hand account, identifying eyewitnesses located throughout the Americas and Western Europe in a manner satisfying to the most fastidious of legal technicians. Dr. Münzel himself has been an eyewitness to some of these episodes. Photographs included in his report show the bloated bodies of the dying on the reservations. His attempts at persuading the killers, whom he met as they set out for an Indian hunt, to abandon their pursuits, have been fruitless. His denunciation of the practices led to a strongly worded suggestion by the German diplomatic mission that he return to his German home base at the University of Frankfurt.

Col. Patrick Montgomery, the British Secretary of the Anti-Slavery Society, presented substantially identical allegations before the U.N. Commission on Human Rights in Geneva on March 29, 1973, based upon independent and further first-hand evidence. His report was uncontradicted.

The Roman Catholic Church in Paraguay has acknowledged the existence of these practices and has denounced them. So has the World Council of Churches. The British and German press have at various times featured accounts of the liquidation of these hapless people.

The extermination of the Aché population of Paraguay has been progressing over a period of more than a decade to the point where the Achés are almost extinct and the Anti-Slavery Society of Great Britain voices the apprehension "that plans may already exist for the liquidation of other tribes before the limelight has a chance to prevent it."

Liquidation of the Achés has progressed apace with road building and "settlement" of "civilized" communities upon once virgin soil, in short, with commercial penetration which has been heavily financed from the United States.

The involvement of the Paraguayan Government has been direct and immediate. Its knowledge of these practices is incontrovertible. General Stroessner, the dictator of Paraguay, has himself been repeatedly informed, most recently perhaps by the International Commission of Jurists, which sought to "intervene" with him against these massacres.

Clinching evidence concerning the explicit Paraguayan governmental collaboration in the extermination of the Aché Indians has been furnished by eyewitnesses. The typical hunt leading to the roundup and massacre of the native population was consistently observed to be accompanied either by the military vehicles of the Paraguayan armed forces or by trucks "put at the disposal of the Reservation by the Ministry of Public Works and Communication with a soldier as the driver."

Paraguay has been under the iron rule of Gen. Alfredo Stroessner, dictator since 1954. Its nominal governmental structure has from time to time been cosmetized to provide a more tolerable appearance to the outside world.

Hundreds of political prisoners are detained without trial under conditions of the utmost deprivation, degradation and torture. Standard operating procedure for the handling of political prisoners, as reported by Amnesty International, includes "prolonged beating for periods of up to two hours nonstop with whips and sticks, burning of sensitive parts of the body with cigarettes and the removal of fingernails." Further refinements are exemplified by the application of electricity to the body of the prisoner "with a prodlike instrument called *picana electrica*" and total immersion to the point of near suffocation in a tub filled with excrement. Amnesty International has reported that such torture sessions have been attended by the ranking members of the Paraguayan general staff as well as the 25-year-old son-in-law of General Stroessner. Medical emergencies, appearing to be imminently life-threatening, may be treated at the police hospital, the Policlinico Rigoberto Caballero, though it does not seem clear whether the available medical treatment is designed to be lifesaving or to provide more sophisticated forms of coercion. In a manner strangly reminiscent of the situation obtaining in Athens under the rule of the Colonels, this police installation is within easy walking and hearing distance of the U.S. Embassy.

General Stroessner has played host to numerous fugitives from post-World War II Nuremburg justice. In the early years of his regime, a Herr Contric, a former S.S. man, acted in an official and leading advisory capacity in the Paraguayan system of internal repression. Amnesty International has asserted that it has evidence that Dr. Josef Mengele, "the doctor of Auschwitz," had been acting in a similar advisory capacity in Paraguay. So have other Nazi fugitives. It appears that under U.S. pressure, Nazis are no longer *visibly* engaged within the Paraguayan system of "law and order," though the influence of both Herr Contric and the Herr Doktor is discounted by few objective observers of the Paraguayan scene.

U.S. aid has been flowing into Paraguay, the poorest country in South America, in massive volume significantly since 1954, the year of Alfredo Stroessner's accession to dictatorial power. American investment has been both private and governmental. Standard encyclopedias—ranging from the *Americana* to the *Britannica*—point to a multimillion-dollar inflow of U.S. capital. The impoverishment of the Paraguayan masses of course remains unaffected. Members of the general staff thrive, sometimes as in Vietnam, on the proceeds of a heroin traffic directed to the United States.

Statistics published by the Paraguayan treasury reflect 50 per cent of available budgetary expenditures on military and police operations. The U.S. Government, which in 1971 granted $400,000 in military aid to Paraguay, has been training Paraguayan military personnel and there is every reason to justify the belief that it has participated in the training of paramilitary and police personnel as well. It would not seem unfair to infer that the Paraguayan military vehicles accompanying Aché hunts are of American manufacture.

General Stroessner, of course, has been Washington's man in Asunción. Widespread military facilities, airstrips and roads leading to them, pushed through inhabited as well as virgin territory once populated by Achés have been made available to the United States.

On a visit to Washington in March 1968, General Stroessner told American reporters that he regarded the United States ambassador as a member of his cabinet. (A similar statement was once made in an unguarded moment by Colonel Papadopoulos in Athens.) General Stroessner used the occasion of his Washington visit to offer the dispatch of Paraguayan troops to Vietnam.

Any assertion of the Nixon Administration that it lacks all knowledge and control of racial and political persecution—and specifically the genocide of the Aché Indians in Paraguay—would seem as credible under these circumstances as its recent protestations of innocence of events in Athens or Saigon.

The release of the University of Bern letter was noted in the *Basler Nachrichten* and by Swiss radio and television. It was greeted by total silence from the American press, radio and television. The London bureau of *The New York Times* was explicitly informed and was obviously sympathetic to giving the story the prominence it deserved. Yet no such story appeared.

How explain the silence of the American media while Achés die?

THE UNITED STATES AND LATIN AMERICA: PARTNERS IN AN INTERDEPENDENT WORLD

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. REES. Mr. Speaker, last month Mr. Antonio Ortiz Mena, President of the Inter-American Development Bank, spoke to the Los Angeles World Affairs Council on the work of the Bank and the relationship between the United States pressed with his observations which I would like to share with my colleagues

and Latin America. I was very impressed with his observations which I would like to share with my colleagues at this time:

REMARKS BY MR. ANTONIO ORTIZ MENA

It is with a sense of great personal pleasure that I accepted your kind invitation to come to Los Angeles and address the World Affairs Council. It is good to get away from Washington from time to time, and it is even better when one can come to the City of the Angels. Of course, for a Mexican it is a particular pleasure since we do have a bit of a proprietary interest here in Los Angeles.

Yesterday, I participated here in Los Angeles in the celebration of the "Dia 16 de Septiembre". It was the first time I did so since coming to the Inter-American Development Bank, and it was a wonderful experience, but I also remember with great pleasure my two previous participations in the *fiesta*, in 1962 and 1966, when I came here for the occasion representing the Presidents of Mexico. This splendid annual celebration, which means so much to us from the days when California was part of our nation, brought home to me again the manifold ties which exist between this city and Latin America. Los Angeles illustrates the lasting contribution made by the Iberian culture to that of the United States. The vestiges of our common Latin heritage are present everywhere in the city.

Among your representatives in Congress there are many who have played leading roles in the execution of foreign policy, particularly with respect to Latin America: for example, Tom Rees and Dick Hanna as members of the Banking and Currency Committee of the House, which considers legislation involving the U.S. membership in the Inter-American Development Bank, and Congressman Ed Roybal as a member of the Appropriations Sub-Committee which considers the U.S. subscription and contributions to the Bank. They have done much to make the Bank's achievements possible, and I wish to compliment them on their vision and statesmanship.

I have come today to talk to you about Latin America and its relationship with the United States, as partners in an interdependent world. We live in a world of swift change, of sweeping transformation and instant communication. The political polarization of yesterday between East and West has changed into close relations. In a few short years, the enemies of World War II have become principal trading partners. It is these massive swings of world politics which have removed from public scrutiny, and to some extent from public concern, a much larger and ever present threat which was clearly recognized in the 1950's and is still very much with us today. I refer to the threat arising from the ever widening gap between the rich and the poor. The threat to security is now economic at least as much as it is political.

As communications continue to improve welding us into one community, this disparity between the *have* and *have-not* nations presents a clear and present danger to the peace and tranquility of the world. This danger is more evident in our continent than I believe is recognized and appreciated in this country. Our hemisphere has become divided into nations that know how to manage technology to create wealth and nations that do not. Internally, within the developed countries, capital and technology have succeeded to an amazing extent in lessening the cleavage between the rich and the poor, not by making the rich poorer—as the Marxists had predicted—but rather by making the poor richer. However, this process has widened the gap in income and opportunities between the rich and the poor nations, to an extent hitherto unknown. While this did little harm when communications were limited, today the masses of poor among us are very much aware of this gap.

The political impact and the psychological consequences of this demonstration effect are self-evident. President Truman clearly recognized this when he embarked this country on the Point Four Program, based on the enlightened self-interest of the United States. Subsequent Presidents have recognized the responsibility of this and other industrialized nations to help, in one way or another, to overcome the gap; we all should realize that ways must be found to make the poor countries more prosperous because, alternatively, the rich countries will inevitably see their own progress curtailed.

Until World War I, a new major industrial nation emerged nearly every twenty years, but none has emerged since, although a few are coming close to the point. A broader-based industrialization must be achieved in a way which will benefit a larger proportion of the world's peoples. Recognition of the problem that I have described, as it applies to the Western Hemisphere, was a principal motivation for the creation of the Inter-American Development Bank, the institution which I am now privileged to head. The Bank was established in 1959 in response to a nearly sixty-year-old dream by Latin American countries for a financial institution dedicated to their development. The Bank was given the function of channeling resources for the economic and social development of the region, thus permitting our countries to help themselves more effectively in the permanent struggle to fulfill the aspirations and needs of their peoples. The amount of loans committed by the Bank up to date is nearly 6 billion dollars, to contribute to the financing of projects for a total cost of approximately eighteen billion dollars. The Latin countries themselves provide about two-thirds of the investment required.

Despite the apparent magnitude of these figures, they are not nearly enough. Let me just say that, after adjustments for purchasing power, the U.S. obtained more external capital between 1870 and 1890 to build the transcontinental railroads than all the money which this country has spent in aid to all the developing countries in the past twenty years.

The Bank as a development institution not only mobilizes resources but also provides financial expertise and sound investment criteria to bear on the achievement of Latin American development. Until the end of last year, and in the critically important field of agriculture, the Bank had financed the improvement of three million hectares of land and the authorization of nearly one million loans to small and intermediate farmers, including over one hundred rural cooperatives, for a total of more than one billion dollars. As for economic infrastructure, in the domain of transport and communications the IDB financed the construction or improvement of nearly twelve thousand miles of road networks, over fifteen hundred miles of gas pipelines, the modernization of eight major ports and the installation of telecommunication systems in seven countries. The Bank helped to install electric plants with a total capacity of 2.7 million kilowatts, construction of over fifteen thousand miles of transmission and distribution lines and the improvement of electrical services in 460 communities. Forty-seven major industrial plants and over five thousand small and intermediate industries were financed by the Bank in the area of industry and mining.

Our financing of water supply and sewerage systems benefitted urban and rural areas with approximately fifty-five million people, that is to say, three and a half times the population of the State of California. Over nine hundred thousand students benefitted from the Bank's operations in advanced, vocational and technical education. In export financing, the IDB authorized over ninety million dollars in lines of credit to help finance intraregional exports of capital goods. In the field of preinvestment 240 studies were financed with direct loans from the Bank, while another 360 were chargeable to the resources granted by our institution to various national funds.

Thanks in part to these activities and most of all to the Latin American effort of self-help, entailing great determination and sacrifice, the developing portion of our continent is rapidly changing. In Latin America, the future is being telescoped into the present, within our own generation, at a faster rate than at any other moment in history. Naturally, transformation takes place not only within each of our nations but also in the traditional pattern of their inter-relationships with other nations, including notably the United States. The institutions of the inter-American regional system, the oldest in existence, are likewise being thoroughly overhauled in order to bring them into tune with the times, and at the service of development, which is now understood to mean social justice just as much as economic growth. The process of helping to conquer backwardness and improve the quality of life for over 260 million people in Latin America and the Caribbean is a magnificent, dramatic challenge that concerns not only ourselves but all industrialized nations.

In response to the growing demand for our services, the Bank is constantly endeavoring to broaden the base of its resources by reaching out for new partners. In addition to raising capital in the principal money markets of the world, including those of Western Europe and Japan—thus lessening the financial burden on the United States, stemming from this country's participation in our expanding operations—the Bank is widening its membership. Canada joined two years ago, thus adding her weight to the regionalization of our agency. The Canadians keenly feel that their own development is interdependent with that of the rest of the hemisphere. Furthermore, the Bank is currently engaged in negotiations with a number of other capital-exporting countries with a view to pooling their resources for the financing of Latin American development. The central idea is to join forces, because the magnitude of the task confronting us transcends the capability of any nation or even a group of nations. Pragmatic partnership is the main feature of this new posture.

Now that an even larger group of Latin American countries is approaching the stage of the take-off into self-sustained economic growth, the relatively more prosperous nations within the region find themselves in a position to begin to assist the development efforts of their lesser-developed neighbors. This is happening on an increasing scale, and is one of the important new criteria being evolved in this new phase of the Bank's activities, as an institution sensitive to different types of development needs and potential. The Inter-American Development Bank of the seventies cannot be the same institution it was during the decade of the Alliance for Progress.

But even the Latin American countries which have attained a fairly advanced level of industrialization do need additional assistance from international financial institutions such as the IDB. If anything, they need it in increasing amounts, and have improved their ability to absorb it. But they need a different type of aid from that required by the lesser-developed countries, where loans and grants based on project-by-project evaluations constitute the bulk of such aid. In the case of these relatively more developed countries, new financial techniques will have to be devised, whereby the Bank may carry out its role as a financial agent and advisor in the mobilization of external resources. The Bank will have to be more selective in the allocation of its resources with a view, on the one hand, to achieving maximum impact

on the development process, and, on the other, to attaining the greatest possible catalytic effect in this effort.

Let us look at Brazil, for instance, with its dramatic rate of growth of over 10 per cent per annum over the last four years—a record unmatched anywhere else. Brazil's requirements of investment capital in only one sector of the economy would consume the IDB's entire resources available for all of Latin America. This leads us to share, with other multilateral institutions and capital-exporting countries, the opportunity of providing the huge amounts of capital needed to finance Brazil's industrial development. Consider, for example, the Brazilian steel industry. The IDB has lent to it 120 million dollars, about 10 per cent of the 1.2 billion dollars needed for the sector's current expansion, half of which the Brazilian Government itself is financing; the World Bank has contributed an additional 180 million dollars, totalling 300 million from the international financial institutions; thanks to the IDB's and World Bank's catalytic role in this operation, an additional 300 million dollars were raised in the form of supplier's credits under conditions far more favorable than those normally obtained. A similar example is that of the Las Truchas steel complex in Mexico, now under advanced consideration at the IDB. The cost of the project is nearly 650 million dollars, of which Mexico provides over one half, the World Bank and IDB together are expected to contribute over 120 million dollars and suppliers from nine countries committed credits worth 180 million dollars, again on very favorable terms.

There are several other impressive examples of this kind of externally-assisted self-help within Latin America. Our Bank, for its part, will encourage this trend. The smaller countries of the region also have an impeccable record as borrowers, and participate in large-scale multinational projects. For example, Bolivia is furnishing natural gas to Argentina, and Mexico participates in the fertilizer industry in Central America, where integrated plants already installed in three countries of the sub-region will eventually be operating in all five, under local control.

This brings me to the concept of regional economic integration in Latin America. We view it as one of the key instrumentalities to promote development in the hemisphere. In this spirit, the Inter-American Development Bank has consistently given vigorous impulse and support to the efforts of our nations to integrate themselves. While regional integration is the ultimate goal, the strategy is to proceed by sub-regional clusters for Central America, the Caribbean, the eleven-country Latin American Free Trade Association, and most recently the Andean Group. Integration offers better opportunities to all nations participating in the process. For the United States, it is advantageous because, through a better allocation of resources in the region, it will generate a greater demand by Latin America for capital goods and a more advanced technology, which this country is well equipped to supply on competitive conditions.

The Inter-American Development Bank can be and has already been of assistance in the area of foreign private investment, which is of common concern to the United States and Latin America. The nature and geography of international capital flows to the region are also influenced by the changing pattern of international relationships. Earlier in this century, foreign capital in the region took the form mainly of investments in essential public utilities, and later in the extraction of natural resources, primarily for export to the industrialized nations. In time, the export of raw materials became for many countries their principal source of foreign exchange. As has occurred elsewhere, in industrialized as well as in developing countries, those of Latin America have become increasingly aware of the need for national control over natural resources, as crucial factors in their development. Throughout the region, such foreign-owned investments were gradually nationalized. While this process led to occasional friction, with political overtones, in most instances the change was peaceful and gradual, with investors compensated fairly for their assets.

From my perspective as President of an international investment bank that last year committed over 800 million dollars in new loans, I can confidently state that Latin America is a good credit risk, with a savings to investment ratio higher than in any other developing area (including Southern Europe). On the whole, the climate for foreign private investment in Latin America is quite favorable, notwithstanding occasional reports to the contrary, which may be justified in isolated instances but do not constitute a trend.

The countries of the region realize that they need foreign capital and know-how, in pragmatic businesslike terms. Every nation has the sovereign right to determine independently whether or not it is willing to import foreign private capital and technology, and if so under what terms and conditions; conversely, foreign investors must know with reasonable certainty the policies and procedures under which their capital and technology will be acceptable. More often than not, they will find in Latin America high rates of return and conditions propitious to a successful investment. This is so particularly if the foreign investor associates with local entrepreneurs, in lasting associations that are rewarding for all parties involved.

Frankly speaking, I am convinced that there is an urgent need to apply greater imagination and creativity to this issue. Great benefits are being reaped in our region by entrepreneurs who have learned how best to adjust to local development policies. This generally means contributing to the generation of local employment, of export revenues, of a technological and managerial infrastructure and of industrial development in the host countries.

Herein lies the essence of the concept of partnership, between businessmen as well as between nations. The more bridges we manage to throw across the gaps which separate us, the better will our interests converge, and the more meaningful shall our interdependence be. The favorable climate for foreign enterprise requires a *quid pro quo*, in the form of new patterns of corporate behavior. Foreign corporations must also be good citizens. When only a few fail in this duty, the damage can be disproportionate. In other words, for a foreign investor to be successful, he must display the qualities of adaptability to local conditions, of empathy and forbearance.

In its new role as a financial advisor to the Latin American countries desiring this service, as well as a major supplier of capital and technical assistance, the Inter-American Development Bank can play an important function in reconciling the interests of capital-exporting and importing countries. Together with other international organizations including the United Nations, the World Bank and the Organization of American States, the IDB has been active in its quest for guidelines acceptable to all sides concerned with international investment in Latin America. We shall continue to pursue these efforts. It is important to play the game according to rules of general validity. More work is needed in this field, and we shall be prepared to cooperate with governments and multilateral agencies toward this end.

The need for additional economic aid to Latin America and the notion of interdependence among nations are twin concepts, by no means mutually exclusive. The structure of Latin America's external debt towards the developed countries, is such that the terms of borrowing for the region are considerably harder than those applicable to the other developing nations. The Latin American countries are desperately trying to bridge the gap with increased export revenues. Unfortunately, however, there is a protectionist mood in the industrialized nations. The problem is not confined to the United States, since in other parts of the world both tariff and non-tariff barriers impede the access of Latin American exports to their markets, thereby penalizing the consumers and adding to the world's inflation. The United States and Latin America concur on the need for a greater liberalization of world trade. Let us hope that the Tokyo meeting of GATT, in progress since a few days ago, may bring some relief to an otherwise grave situation.

Economic interdependence between nations or regions pre-supposes a two-way traffic, predicated upon reciprocal needs. While development aid is welcomed by the recipient countries, it is also good business for the donors, if only because it expands the markets for their products. At the time of the most serious trade deficits of the United States, its balance of trade with Latin America was still favorable. When the dollar was in a most serious crisis, Latin America did not convert its reserve holdings in dollars into gold, when the option existed. Latin American economic solidarity with the United States is a demonstrated fact.

The United States needs to have access to Latin American resources, and vice versa. If one pauses to consider that by the end of this century, that is to say less than thirty years hence, Latin America will have an estimated population of 650 million, with a purchasing power roughly equal to that enjoyed by the European Community today, the vast potential of our region as an orderly-managed geo-economic space, a market, a supplier of food and energy, and a reservoir of human talent closely identified with Western values and culture, becomes immediately apparent. It is thus clearly in the interest of the United States to support the efforts of our nations, which have amply demonstrated their ability to raise themselves by their bootstraps from the agonies of underdevelopment.

The institution over which I preside is but a part of a great regional system. This system is endowed with an identity all its own, forged through decades of collaboration in every field by generations of Americans, from the North, the Central isthmus, the South and the Caribbean. On your own prosperity in this country depends ours, and our development will have an influence also on the continued growth and expansion of the United States. That is why we need your support and you need ours. As I said at the beginning of my remarks, California is a link, a bridge between the Latin culture and the Anglo-Saxon tradition. You understand us, and we have the greatest admiration for your achievements. What we need is to strengthen such bridges. Within this framework of interdependence, let us go ahead and join in partnership with a fresh awareness of the vital role of the Americas for the welfare of all mankind.

NEW YORK CABBIES ARE A UNIQUE BREED

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. DERWINSKI. Mr. Speaker, New York is again in the headlines with its mayoralty race, strikes, riots, the success of the Mets, and sundry other newsworthy items.

One of New York's greatest claims to fame has been the reputation of its cab

drivers for being a unique breed. These intriguing individuals are the subject of a very entertaining column by Orv Lifka, editor of the Suburban Life, on October 4 which I am pleased to share with my colleagues:

GOTHAM CABBIES TRY NEW ROUTE

(By Orv Lifka)

The domestication of that unusual species of American wildlife, the New York taxi driver, continues at a speed that may blur the vision of his arch-enemy, the traffic policeman.

Midwesterners who have ridden with these rollicking rickshawmen invariably conclude that they would sooner go over Niagara Falls in a barrel. These hackies make kamikaze pilots look like the Cowardly Lion.

Their cabs are filled with rattles and the screams of yesterday's riders. Ticking meters convince customers they are traveling in time bombs. As they eye life's passing stream through the mottled windows patrons wonder when they will go down for the third time.

However, like the dieter who went on an eating binge, the New York taxi driver is out to change his image. Help has been received from an unwelcome source, the city. It knows these ferrymen deserve special attention, like a hot wire downed in a thunderstorm.

With approximately muted fanfare the city passed a law some months ago prohibiting unnecessary horn tooting, thereby cutting off a favorite pastime of the jitneymen.

For a while academic disagreement persisted as to what was "unnecessary," but when the courts relied on the judgment of the police and began collecting $25 for each so-determined serenade the cabbies put away their music.

At last reports, easily heard in the quiet streets, the hackmen had survived this dent in their lifestyle. Many conclude now that the legislation was needed to curb a bad habit of their churlish competitors.

Using another avenue, New York recently decreed that taxi operators be separated from their customers by bulletproof windows as well as views on their driving. Such windows will protect the cabbies from criminals but also will cut off these gifted monologists from captive ears.

Hackmen may compensate for this by lowering their windows and calling the attention of other motorists to their shortcomings, which are considerably more aggravating than their longgoings. Such vocalizing, however, will never replace the horn as a means of criticism.

Cabmen also are steering themselves toward self improvement. Whistled down by a group of taxi drivers, Amy Vanderbilt briefed them in the social graces applicable to their line of work.

The tips were greatly appreciated even though she recommended that the boys refer to woman customers as "madam" instead of "sugar," which invariably creates a stir.

How riders will react to the cabbies' new look is as hard to determine as a fast route across Manhattan. Things are getting brighter than a windshield washed by a rainstorm. But the "unfortunate international image" Amy mentioned may continue as long as they drive like a boulder in an avalanche.

The New York taxi driver isn't an endangered species; his customers are.

CHINA'S 62D ANNIVERSARY

HON. ANTONIO BORJA WON PAT

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. WON PAT. Mr. Speaker, on October 10, 1973, the Republic of China celebrated the 62d anniversary of its founding. I would like to take this opportunity to offer my congratulations and to take note of the tremendous achievements that have been made on Taiwan, the present home of over 15 million Chinese citizens.

The people of China have suffered much in the past. For several hundred years they were ruled by a Manchu Dynasty, and it was not until October 10, 1911, that Dr. Sun Yat-sen and his revolutionary followers were successful in overthrowing the alien rulers. Following that event, there was much division among the various factions seeking power in China, with resulting warfare and chaos, and untold tragedy for the people. The Second World War brought its own problems and resulted in the Communist takeover in 1949, when the Government of the Republic of China was forced to withdraw to the province of Taiwan.

During the post-World War II period, the United States contributed large amounts of financial, technical, and military assistance to the Republic of China. Land reform and rural construction were initiated, and the expansion of commerce and industry was encouraged. With our help, but mainly through their own heroic efforts, the Chinese people on Taiwan were so successful in achieving a self-sufficient and thriving economy that all American aid was suspended a few years ago. Today, Taiwan is making tremendous strides in commerce and industry, and is rapidly developing a place for itself in the markets of the world.

Taiwan stands as an excellent showcase for the kind of progress that is possible under enlightened leadership. Advances have been made in all areas of activity, with resulting benefits for all the people.

I am pleased to report that recently I saw first-hand the achievements the Chinese people have made on Taiwan. During a visit to the island, I was privileged to see many inspiring examples of its progress in government, commerce, industry, housing, education, social welfare, and the arts. As a result of the overall prosperity, the standard of living of all the people has improved significantly. Where only 20 years ago the chief means of transportation was the pedicab, today it is the automobile and taxi. Where before the ordinary Chinese family sweltered in the tropical heat with only a fan to stir the air, today many Chinese have air-conditioners in their homes. Where before many children of poor families could not attend school because they lacked the funds for books, paper, and pencils, today every child is able to obtain an education. The construction of many new buildings, some 20 stories high, to meet the demand for the increased business activity on the island is concrete evidence of Taiwan's progress. Happily, the economic gains have been accompanied by improved changes in the political structure of the government at all levels: city, county, and township.

Throughout history, the people of China and America have always had a strong bond of friendship and mutual respect and admiration. Regardless of its political status in the future, I would like to reassure the Chinese people living in the Republic of China on Taiwan that the people of America admire their recent achievements and wish them continued progress and prosperity.

TITLE I EDUCATION FUNDS

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. LEHMAN. Mr. Speaker, yesterday, I voted to recommit the conference report on House Joint Resolution 727. This conference report includes a provision that for title I education funds, a local educational agency would receive no less than 90 percent nor more than 115 percent of the title I funds it received in 1973.

Year 1973 allocations were based on 1960 census figures. It is clear that in those intervening 13 years, enormous and significant population shifts occurred. The result of this conference report is those areas which have experienced large growth in population will not be given title I funds in proportion to the true numbers of persons the local school districts must serve.

I cannot support hold harmless provisions when such Federal funding is going to provide services for nonexistent children. Hold harmless clauses are particularly hard to swallow when coupled with increased ceilings.

I am inserting in the RECORD a breakdown which shows population shifts among the school districts in Florida:

POPULATION

District	1.1 Total population by district 1960	1.1 Total population by district 1970	1.2 Percent change, 1960–70 (percent)	1.3 Average yearly change, 1960–70 (percent)	1.4 Components of change 1960–70 Births	Deaths	Natural increase Number	Natural increase Percent	Net migration Number	Net migration Percent
Alachua	74,074	104,764	41.4	4.1	20,512	6,570	13,942	18.82	16,748	22.61
Baker	7,363	9,242	25.5	2.6	1,801	704	1,097	14.90	782	10.62
Bay	67,131	75,283	12.1	1.2	16,656	4,979	11,677	17.39	−3,525	−5.25
Bradford	12,446	14,625	17.5	1.8	2,613	1,382	1,231	9.89	948	7.62
Brevard	111,435	230,000	106.4	10.6	41,045	9,677	31,368	28.15	87,203	78.25
Broward	333,946	620,059	85.7	8.6	75,532	46,568	28,964	8.67	257,190	77.02
Calhoun	7,422	7,624	2.7	.3	1,462	816	647	8.72	−445	−6.00
Charlotte	12,594	27,559	118.8	11.9	2,058	3,341	−1,283	−10.19	16,248	129.01
Citrus	9,268	19,196	107.1	10.7	1,827	1,787	40	.43	9,888	106.69
Clay	19,535	32,059	64.1	6.4	5,325	1,789	3,536	18.10	8,988	46.01
Collier	15,753	38,040	141.5	14.2	5,200	2,460	2,740	17.39	19,547	124.08
Columbia	20,077	25,250	25.8	2.6	5,179	2,406	2,773	13.81	2,400	11.95
Dade	935,047	1,267,792	35.6	3.6	184,016	106,403	77,613	8.30	255,132	27.29
De Soto	11,683	13,060	11.8	1.2	2,342	1,370	972	8.32	405	3.47
Dixie	4,479	5,480	22.3	2.2	1,277	467	810	18.08	191	4.26
Duval	455,411	528,865	16.1	1.6	112,893	42,450	70,443	15.47	3,011	.66
Escambia	173,829	205,334	18.1	1.8	46,322	13,567	32,755	18.84	−1,250	−.72
Flagler	4,566	4,454	−2.5	−.3	995	584	411	9.00	−523	−11.45
Franklin	6,576	7,065	7.4	.7	1,526	878	648	9.85	−159	−2.42
Gadsden	41,989	39,184	−6.7	−.7	10,021	3,570	6,451	15.36	−9,256	−22.04
Gilchrist	2,868	3,551	23.8	2.4	590	323	267	9.31	416	14.50
Glades	2,950	3,669	24.4	2.4	599	275	324	10.98	395	13.39
Gulf	9,937	10,096	1.6	.2	2,170	767	1,403	14.12	−1,244	−12.52
Hamilton	7,705	7,787	1.1	.1	1,878	835	1,043	13.54	−961	−12.47
Hardee	12,370	14,889	20.4	2.0	2,819	1,409	1,410	11.40	1,109	8.97
Hendry	8,119	11,859	46.1	4.6	2,761	937	1,824	22.47	1,916	23.60
Hernando	11,205	17,004	51.8	5.2	2,569	1,747	822	7.34	4,977	44.42
Highlands	21,338	29,507	38.3	3.8	4,891	3,176	1,715	8.04	6,454	30.25
Hillsborough	397,788	490,260	23.2	2.3	88,845	43,532	45,313	11.39	47,164	11.86
Holmes	10,844	10,720	−1.1	−.1	1,613	1,276	337	3.11	−461	−4.25
Indian River	25,309	35,992	42.2	4.2	6,111	3,434	2,677	10.58	8,006	31.63
Jackson	36,208	34,434	−4.9	−.5	6,293	3,418	2,875	7.94	−4,649	−12.84
Jefferson	9,543	8,778	−8.0	−.8	2,158	1,104	1,054	11.04	−1,819	−19.06
Lafayette	2,889	2,892	.1	0	456	331	125	4.33	−122	−4.22
Lake	57,383	69,305	20.8	2.1	10,890	8,368	2,522	4.40	9,400	16.38
Lee	54,539	105,216	92.9	9.3	13,192	8,363	4,829	8.85	45,848	84.06
Leon	74,225	103,043	38.8	3.9	17,609	5,766	11,843	15.96	16,979	22.88
Levy	10,364	12,756	23.1	2.3	2,250	1,361	889	8.58	1,503	14.50
Liberty	3,138	3,379	7.7	.8	645	317	328	10.45	−87	−2.77
Madison	14,154	13,481	−4.8	−.5	3,020	1,507	1,513	10.69	−2,186	−15.44
Manatee	69,168	97,115	40.4	4.0	11,195	11,788	−593	−.86	28,540	41.26
Marion	51,616	69,030	33.7	3.4	12,182	6,623	5,559	10.77	11,855	22.97
Martin	16,932	28,035	65.6	6.6	3,981	2,736	1,245	7.35	9,858	58.22
Monroe	47,921	52,586	9.7	1.0	12,635	3,957	8,678	18.11	−4,013	−8.37
Nassau	17,189	20,626	20.0	2.0	3,952	1,571	2,381	13.85	1,056	6.14
Okaloosa	61,175	88,187	44.2	4.4	19,645	3,443	16,202	26.48	10,810	17.67
Okeechobee	6,424	11,233	74.9	7.5	2,294	843	1,451	22.59	3,358	52.27
Orange	263,540	344,311	30.6	3.1	62,507	25,449	37,058	14.06	43,713	16.59
Osceola	19,029	25,267	32.8	3.3	3,471	3,468	3	.02	6,235	32.77
Palm Beach	228,016	348,753	52.9	5.3	50,705	30,915	19,790	8.68	101,097	44.32
Pasco	36,785	75,955	106.5	10.7	6,397	7,661	−1,264	−3.44	40,434	109.92
Pinellas	374,665	522,325	39.4	3.9	54,724	72,231	−17,507	−4.67	165,171	44.08
Polk	195,139	227,222	16.4	1.6	42,760	20,925	21,835	11.19	11,052	5.66
Putnam	32,212	36,290	12.7	1.3	7,300	3,557	3,743	11.62	469	1.46
St. Johns	30,034	30,727	2.3	.2	5,721	3,818	1,903	6.34	−902	−3.00
St. Lucie	39,294	50,836	29.4	2.9	9,536	4,999	4,537	11.55	7,005	17.83
Santa Rosa	29,547	37,741	27.7	2.8	9,265	2,273	6,992	23.66	1,202	4.07
Sarasota	76,895	120,413	56.6	5.7	12,329	13,326	−997	−1.30	44,515	57.89
Seminole	54,947	83,692	52.3	5.2	14,552	5,548	9,004	16.39	19,741	35.93
Sumter	11,869	14,839	25.0	2.5	2,580	1,549	1,031	8.69	1,939	16.34
Suwannee	14,961	15,559	4.0	.4	3,179	1,710	1,469	9.82	−871	−5.82
Taylor	13,168	13,641	3.6	.4	2,977	1,309	1,668	12.67	−1,195	−9.08
Union	6,043	8,112	34.2	3.4	939	510	429	7.10	1,640	27.14
Volusia	125,319	169,487	35.2	3.5	23,417	21,954	1,465	1.17	42,703	34.08
Wakulla	5,257	6,308	20.0	2.0	1,055	564	491	9.34	560	10.65
Walton	15,576	16,087	3.3	.3	2,385	1,681	704	4.52	−193	−1.24
Washington	11,249	11,453	1.8	.2	2,143	1,321	822	7.31	−618	−5.49
Total	4,951,560	6,789,383	37.1	3.7	1,093,790	595,743	498,047	10.06	1,341,322	27.09

Note: Net migration is the number of persons who moved to the school district during a specified time. In this instance, net migration is the difference between the total increase from 1960 to 1970 and the natural increase. The percent for natural increase added to the percent for net migration will equal the percent change from 1960 to 1970.

DRUG ABUSE PROBLEM IN THE SCHOOLS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. WALDIE. Mr. Speaker, the Select Committee on Crime issued a report over the summer concerning the drug abuse problem in the schools.

The committee has called on Congress to provide funds for both student and teacher drug education programs, to force manufacturers to cut back their production of harmful drugs, and to monitor the effectiveness of the radio and television industry's regulation of drug advertisements.

Mr. Speaker, I have written principals and superintendents of schools in my State of California about their views of the committee's recommendations. Their letters relate, as well, the independent efforts they are making to fight the drug abuse problem. Their evaluation and experiences should be of great interest to all Members of Congress.

Mr. Speaker, selections from these letters follow:

LETTER FROM MITCHELL L. VOYDAT, AREA ADMINISTRATOR, CAPITAL MALL, SACRAMENTO, CALIF.

We, in California, have developed an outstanding drug abuse program and would welcome sharing our developments/programs with your office. To this end, I'm asking Dr. Donald McCune, State Coordinator for Drug Education, to respond with specifics.

My own suggestions follow:

A. An interdisciplinary approach to teaching "values formation" and "facts/information" should be an integral part of any school program. Reading, composition, speech, driver education, health, physical education, social sciences, etc., should focus on the problem. The United States Office of Education might well be a focal point for such leadership as well as for the development of such materials.

B. Encouragement/limited funding should be made available to teaching institutions to include such work in their teacher preparation programs. Accrediting associations could be a big help here. State credentialing agencies should recognize the problem and include this in credentialing requirements.

C. The joint efforts of federal health departments/school district offices/county school offices and other social agencies (medical, law enforcement) should be a condition for receipt of existing funding. Area/regional coordinating councils, as part of on-going activities, should be fostered.

D. Existing titles in ESEA III, ESEA II and NDEA III could be expanded or delineated (as the case might be) to include a specific percentage of funding for the drug abuse problem.

As you can see, my concerns revolve around (a) teacher training, (b) values of material development, (c) greater coordination of purpose among existing agencies, and (d) possible funding through inclusion in specific Federal Acts.

LETTER FROM JOHN V. MCGARRY, PRINCIPAL, OXNARD, CALIF.

May I respectfully submit to you that many children who have turned to drugs have done so out of boredom and lack of suitable goals for their respective age groups. Society, as a whole and through various media, has convinced many of our young people that "you're really not living until you're old enough to do what the adults do." Our young teenagers have a tremendous desire to be needed and useful in a society that really does not have time for them unless they are "consumers". For example, let us take a look at the work ethic which helped our young people years ago by providing them with job opportunities. As society has become more technologically inclined and business has become more sophisticated, the need for young boys and girls to help wash windows, sweep floors, stock shelves, do errands, etc. has diminished. It is very difficult for a youth of today to be recognized by business in any other way than as a consumer. Business wants his dollar but they offer no method by which he may earn it. It is truly much easier to have a janitorial service come in "after business hours" to do the cleaning. It requires no supervision, no teaching of novices, no worry about insurance problems with the young—it's the easy and fast way out of the "problem". Stock ordering is now done by computer and, consequently, the inventory and other trivial types of jobs once done by youth are not in evidence as in past years. Children, who years ago, felt they were part of this business now feel, to some extent, alienated towards it and exploited by it. The business world has not taken the responsibility of helping the parents and the school teach the child the beauty of work and the work ethic. Consequently, children have time on their hands with nothing to do and less to look forward to. Children need to be occupied, either with jobs, or with other activities that will keep their minds busy and improve their feeling of personal self-worth in our present day society.

Many schools and school boards, such as ours, have recognized this need to keep children's minds and bodies busy and have contributed in their own way by providing "after school activities" for our young teen-agers. We would like to think that it helps and submit to you, that if, the child is involved at his school, the chance of him being involved in drugs is minimal. We have had many federal programs for many things and one is now being proposed in the area of drug education. I submit to you that in addition to this we must find a way to occupy children's minds and bodies. Why not help school districts provide facilities such as gyms, craft buildings and materials, instructors, etc. to take up this slack? Why not encourage business to get re-involved in the business of educating children to the field of work and the work ethic? Let's make positive moves, as well as, stop-gap proposals to actively improve the self image of our youth. Let's keep them busy and involved in worthwhile objectives.

LETTER FROM DONALD C. HOLTON, BUILDING PRINCIPAL, OCEANSIDE, CALIF.

Following your line of thought and your request for additional suggestions, I would like to propose the following:

First of all, in reality, students spend a very small portion of their time with each individual teacher, particularly at the secondary school level. The persons with whom they spend the majority of their time is with the parents, and for this reason I recommend that the federal government investigate the possibility of making available to all persons PARENT-EFFECTIVENESS programs which would be geared to all income levels, all socio-economic levels and racial and ethnic groups.

This is not just a school problem—it is a problem of society—the magnitude of which is staggering. For this reason, I believe that a staggering program must be developed if it is going to be successful.

LETTER FROM ARTHUR H. NORTH, ASSOCIATE SUPERINTENDENT, SANTA BARBARA, CALIF.

I was extremely interested in the report of the Select Committee on Crime—"Drugs in Our Schools"—and I want to thank you for your letter.

The secondary administrators of this District agree wholeheartedly with all four Committee recommendations.

School districts in Santa Barbara County initiated organized programs of drug abuse instruction about three years ago, and with federal funding of a County Schools project have expanded the involvement of community, teachers, and students. However, the program is not yet adequate and recommendation #2, "provide adequate funding," is essential.

All principals placed a very high priority on recommendations #3 and #4 concerning "cutback of production" and "advertising guidelines."

Specific programs for students need to be scrutinized with great care, since research now indicates that some programs have tended to increase rather than diminish student use.

Thank you for involving these districts in your sampling.

LETTER FROM WARREN BRYLD, PRINCIPAL, SUNNYVALE, CALIF.

One suggestion which we would recommend is for early and continued education in developing sound value systems in young people. The taking of any drug is a matter of choice based on an individuals' judgment at a given moment. Therefore, it would seem that in order to alter such judgment a program should be developed to strengthen value judgments in young people. There probably would need to be much parent involvement to add to the effectiveness of such a program. It would be imperative that such a program be initiated in the child's early school years and continue through high school on a systematic basis.

We feel that the school, by itself, is not the answer to the drug abuse problem. There has to be a coordinated effort between community agencies, parents and the school. Too much concentration in the schools has been aimed at attempting to correct symptomatic behavior and not enough consideration given to causal factors.

LETTER FROM ROBERT L. FRENCH, ADMINISTRATOR, INSTRUCTIONAL SERVICES, FULLERTON, CALIF.

Thank you for your letter of September 10, 1973, reviewing the progress of the Select Committee on Crime in regard to drug abuse. We commend you for your efforts with this vital problem.

We, too, are extremely interested in this area and are spending time and monies to study the problem and to upgrade our instructional program. We have carried out a drug use survey every two years and reviewed the findings with the Board of Trustees and the press. Certain of the findings are alarming while others show that some progress is being made.

LETTER FROM SHEREE WARFIELD, RICHMOND, CALIF.

Since you are in the committee on crime you are probably concerned about the problems that we have in the city; such as drugs for instance and alcohol. As you know there is a law that says drugs are illegal but if drugs are illegal shouldn't alcohol be illegal too. Neither one of them is better than the other so they should either be legal or illegal. There is another case such as smoking, they advertise that if you smoke a certain kind of cigarette you will become a better person. Do you think that this is right?

LETTER FROM JOYCE LAYTON, R.N., HEALTH AND SAFETY COORDINATOR, CARLSBAD, CALIF.

Aside from the drug education given in our regular science and health curriculum, we have initiated a Peer and Cross-Age Teaching class in our senior high school. Since students go to other students for information, we are trying to give the right information to the leaders of the various student strata through this class. These students will be going into classrooms, K–12, in the area of drug abuse as well as in other health education areas such as venereal disease. These students work very closely with school counselors, parents, Citizen-Staff Health and Safety Committee, counselors from the Carlsbad Police Department, Public Health Department and our local Defy Agency.

In 1971, the San Diego County Drug Education Workshops, "You and Your Decisions," were found to be very helpful as have subsequent State and County workshops and meetings.

LETTER FROM ROSEMARY DUNN, OAKLAND, CALIF.

As a member of the Select Committee on Crime, undoubtedly you are concerned with the demands for the legislation of marihuana.

I think marihuana is like alcohol—relatively harmless in small amounts, but a public menace in large.

If people can poison themselves with cigarettes, and destroy themselves with alcohol, why can't they smoke marihuana?

What is being done about it? Shouldn't all three things be banned illegal?

LETTER FROM TOM HAND, PRINCIPAL, OXNARD, CALIF.

I believe that teachers should be knowledgeable in the drug-abuse area. We have had in the past local police and former drug-abuse speakers for teachers and for students, but we had not had any thorough program of education of drug-abuse. At our junior high school drug-abuse has never been a significant problem, in so far as numbers involved, but we do not want even one young person to become involved with drugs, so we are still very concerned with any legislation that will assist in lowering the number of drug-abuse cases to even zero if that were possible.

I believe that federal laws should drastically limit the advertising of certain drugs for certain purposes. I concur that proper control of the manufacture, and distribution of drugs used in drug-abuse is necessary.

It is true that any additional instructional program for school students cost money and time and also any additional in-service instruction for teachers costs time and money.

but drug-abuse by members of a society costs that society even more in terms of lost lives and non-productive lives.

The Select Committee's recommendations is aimed more at prevention than at cure. However, I would not overlook the great value in using the reformed drug-abusers in assisting in the prevention.

I suggest that the federal government finance and sponsor a speaker's program where cured and reformed drug-abusers can get their sad story across to all young people. We have had such speakers and I'm convinced that their message comes across with an emotional impact that's hard to forget. I remember several years ago a televised panel of convicts presented a program regarding their stumbling. This could also be done in the area of drug-abuse. Mass communication media for such speakers would be very effective—similar to the idea of using personalities to speak out for drinking milk, etc.

ILO DIRECTOR GENERAL WILFRED JINKS DIES IN ROME

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. FRASER. Mr. Speaker, on October 9, Wilfred Jenks, Director General of the International Labor Organization, died in Rome. He was a dedicated international civil servant who ably led the ILO through what was perhaps its most difficult period—the 2-year default by the United States in payment of assessed contributions to the Organization.

Wilfred Jenks spent his entire professional life—42 years—in service to the ILO. Beginning in 1931 as a young law school graduate from England, he served under every Director General in the 54-year history of ILO, rising from the ranks to become Director General himself in 1970. A distinguished international legal scholar, he wrote more than a dozen books on international law, some of which are still used as textbooks. His indispensable contribution to practically every aspect of the important work of the ILO during the past four decades is proof of his high professionalism and dedication to the central tasks of ILO: improving conditions of life and labor, safeguarding freedom of association, and upholding human rights throughout the world.

One of Wilfred Jenks' most striking qualities was courage. When a resolution was introduced at this year's ILO General Conference to condemn Israel and subsequently conduct an inquiry into conditions in that country, Jenks ignored the advice given him and spoke out forcefully against this reversal of due process. Calling on the delegates to maintain the tradition of fairness, he said:

> In the name of the reputation for integrity which won the ILO the Nobel Prize I implore the Conference to think many, many times before it abandons this tradition . . . For the Conference first to condemn and then to call for an enquiry, the terms of reference of which would be to confirm such condemnation, would be to offend the principle of due process on which all our work relating to implementation of Conventions rests.

As a result of Jenks' courageous stand, support for the anti-Israel resolution withered away.

Under Wilfred Jenks' leadership, the essential tripartite structure of ILO—consisting of representatives of governments, employers, and trade unions—was revitalized when the balance was tipping dangerously in favor of government representatives. He also took new initiatives concerning the role of employment in the process of economic development, and said at this year's General Conference:

> The employment problems of the developing world remain a top priority in all our work. There will be no relaxation of our work on employment and human resources development. These are vital to cut the cancer of unemployment from the body politic and build up the trained cadres indispensable for true national independence.

From 1970 to 1972, when failure of the United States to pay its ILO dues put the organization under severe strain in carrying out vital programs, Jenks nonetheless was responsible for an increase of 27 percent in the number of American citizens on the ILO staff.

My last meeting with Wilfred Jenks was less than 2 months ago in his office in Geneva. Concerned about maintaining the image of the United States as a leader in defending human rights in the ILO, he said:

> Nothing would strengthen the U.S. position in ILO more than some movement toward its ratifying one or more of the six major international conventions on human rights in labor.

I think we would do well to take his advice and move toward ratification of these conventions, which have already been ratified by more than 80 of the 123 members of ILO.

Wilfred Jenks was one of a rare breed of unselfish international civil servants. There is much we can learn from his leadership.

I am pleased to announce that four of our distinguished colleagues join with me in making this statement: Mr. DANIELS, Mr. O'HARA, Mr. PERKINS, and Mr. THOMPSON of New Jersey.

SCOTT COUNTY CHAPTER OF THE DISABLED AMERICAN VETERANS

HON. EDWARD MEZVINSKY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. MEZVINSKY. Mr. Speaker, I am pleased to note that the Scott County chapter of the Disabled American Veterans has been commended for its fine program of aid to disabled veterans and children. Their trading stamps for needy children program, for instance, serves more children in the eastern part of Iowa than any other currently existing Christmas benefit fund. This Christmas the chapter's all-volunteer staff will serve over 2,000 needy children.

The chapter's wide-ranging programs are costly and funded primarily through donations. Recent contributions from the business community, both from Iowa and across the Nation, have kept this program going. I think their contributions are worthy of our notice and commendation.

PSRO AND THE INDIANA STATE MEDICAL ASSOCIATION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. RARICK. Mr. Speaker, the Indiana State Medical Association at their 124th annual convention in Indianapolis, Ind., this week adopted two straightforward resolutions relating to PSRO—professional standards review organizations—and HEW.

Summarized the position of the Indiana State Medical Association is:

That HEW be notified that its membership will be encouraged to not participate in PSRO type activities;

That the Indiana State Medical Association establish an independent corporation to accomplish peer review and quality control to be effective only at the request of the local reviewing board;

That the Members of Congress and the Senators of the State of Indiana repeal the PSRO provisions of Public Law 92–603, which was passed into law by the 93d Congress as a provision of title XI of the Social Security Amendments of 1973.

I have introduced H.R. 9375, calling for repeal of the PSRO provisions from the act in order to eliminate the threat of political interference into the area of medicine. The PSRO prorgam for regional and national establishment of norms of medical practice are presently scheduled to become effective January 1, 1974.

I can assure our colleagues that if they have not heard of PSRO yet, they can expect to be hearing it as the effective date approaches. In order to avoid a medical rebellion among our doctors of medicine, I would urge you to introduce similar legislation to H.R. 9375 and work toward early repeal of the unnecessary and impractical provision of law which establishes the groundwork for Federal control of medical practitioners.

H.R. 9375 repeals, under the Social Security Act, the provisions for the establishment of professional standards review organizations to review medical services covered under medicare and medicaid programs.

H.R. 9375 has been referred to the Ways and Means Committee.

I ask that the two related resolutions adopted by the Indiana State Medical Association follow:

RESOLUTION No. 73–1

Introduced by Clark County Medical Society.

Subject: Redeclaration of nonparticipation policy.

Referred to Reference Committee No. 5, William G. Bannon, M.D., Chairman.

Whereas, The free enterprise, fee-for-service system of medical practice in the United States makes most efficient use of available medical personnel, encourages high quality medical care, and preserves the freedom of patient and doctor; and

Whereas, Government intervention between the practicing physician and the patient historically removes responsibility from both parties and leads to increase in quality of medical care; and

Whereas, The provisions of PSRO would

sharply interfere with the nature of the doctor-patient relationship and lead to a poorer rather than a better health care standard in this country; now, therefore, be it

Resolved, That the Clark County Medical Society urge the Indiana State Medical Association to notify the Department of Health, Education and Welfare that its membership will be encouraged to not participate in PSRO-type activities.

RESOLUTIONS No. 73–21

Introduced by Board of Trustees.
Subject: Involvement in PSRO.
Referred to Reference Committee No. 5, William G. Bannon, M.D., Chairman.

Whereas, Public Law 92–603 calling for establishment of a PSRO mechanism in every state of the nation not later than January 1, 1976;

Whereas, The law makes provision for such organizations to be formed on a trial basis as of January 1, 1974; and

Whereas, The Board of Trustees has gone on record as stating their opposition to this poor law; and

Whereas, The Board of Trustees is of the opinion that this House of Delegates has but two options, one of involvement and one of noninvolvement in PSRO's, and

Whereas, Resolution No. 1–73 recommends non-involvement in PSRO's, and

Whereas, This resolution is presented to provide for an alternative means of peer review and quality control without government control; now, therefore, be it

Resolved, That the Indiana State Medical Association be permitted to establish an independent corporation to accomplish peer review and quality control, such review to be conducted only at the request of the local reviewing body; and be it further

Resolved, That the Indiana State Medical Association urge the members of Congress and senators of the State of Indiana to repeal the PSRO provisions of PL 92–603.

BEEF PRICES—CATTLE PRICES

HON. JAMES ABDNOR

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. ABDNOR. Mr. Speaker, much has been made in recent months of the rise in prices for raw agricultural products which has permitted the farmers and ranchers to receive an income close to that of those employed in other segments of the American economy for the first time in anyone's memory.

The rises in raw agricultural prices were blamed for the high cost of food—even though food is cheaper in America than anywhere else in the world. The rise in cattle prices was particularly singled out for criticism.

Cattle prices have now come down—drastically. This does not portend well for the continued expansion of our beef supplies for the future, but it may mean financial ruin for many feeders very soon. A marked drop in beef prices in supermarkets has yet to be seen.

The following letter addressed to Mr. John Dunlop of the Cost of Living Council from the Sioux Falls Livestock Foundation states the problem quite succinctly:

SIOUX FALLS LIVESTOCK FOUNDATION,
September 26, 1973.

Mr. JOHN DUNLOP,
Cost-of-Living Council,
Washington, D.C.

DEAR SIR: Although the Sioux Falls Stockyards, this nations 4th largest livestock market, does not pretend to act in an official capacity as a spokesman for the livestock industry, it is our belief that certain facts should be brought to your attention.

Do you realize that since the onset of Phase IV, we have witnessed fluctuations in the price of livestock never before heard of? It should further be noted that since the "peak" the price of live cattle has dropped approximately $18.00 per hundred, resulting in a total value decrease in excess of $200.00 per animal. The total value of a market hog has decreased by $50.00 and that of a market lamb by $18.00 per head.

We realize that your intended purpose in the initiation of Phase IV was to reduce the price of meat by lowering the price at the farm level. Only a portion of your plan has worked. Livestock prices are now at a level that will result in immeasurable financial loss to many feeders and yet prices at the retail level remain constant. In fact, it has been brought to our attention that many of the chains have raised the price of meat as late as yesterday.

Should these prices remain as they are now, you will observe a decrease in the amount of cattle and hogs being fed with a subsequent decrease in the amount of red meat available to our consumer.

It would be our suggestion that immediate steps be taken to rectify an unbelievably tragic situation. We would ask that you personally visit our Midwestern feeding area and observe the current economic plight. We would further suggest that meat be re-instated as the primary ingredient in this nations school lunch programs and finally would ask that a Senate Committee be established to investigate the accounts of this nations major meat retailers. We realize that they too are deserving of a profit, but not at the expense of Agricultural Bankruptcy.

The current situation is more than serious because basic economics and a review of this country's 1930 depression reaffirm the fact that as Agriculture goes, so goes the Nation.

Sincerely,

JAMES L. SMITH,
President and General Manager.

TITLE I EDUCATION FUNDS

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. LEHMAN. Mr. Speaker, in the Education and Labor Committee, it has been proposed that title I education funds be distributed on the basis of testing for educational disadvantage.

I, myself, have grave doubts about the wisdom of utilizing tests to determine which children are disadvantaged, and these doubts are well-expressed in a letter which I received today from Dr. E. L. Whigham, superintendent of schools in Dade County, Fla. As I believe this is a matter of concern to all my colleagues, I insert that letter below for their information:

DADE COUNTY PUBLIC SCHOOLS,
Miami, Fla., October 9, 1973.

Hon. WILLIAM LEHMAN,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. LEHMAN: Following my conversation with you in Washington last week, I thought it would be helpful to put into writing some of the concerns I expressed about using the results of a national testing program rather than economic criteria as the basis for the federal government's allocation of ESEA Title I funds to the states. The following items indicate some concerns as to why the proposed new procedures for allocating Title I funds are inadvisable:

1. A major defect of basing fund allocations on student achievement is that this procedure represents a negative approach to financial aid which will encourage abuses or the rewarding of inefficient programs while reducing funds available to those states and school systems which are significantly reducing the performance gap between economically disadvantaged students and their more advantaged peers.

2. A national testing program would require expensive auditing procedures to assure uniformity of test administration and a comparability in results by states. In fact, national uniformity of test administration probably cannot be attained.

3. Assuming that funds are available for the development of a national testing program, securing professional and lay consensus concerning reading and mathematics objectives throughout the nation would represent a mammoth task. Local school districts and state educational agencies, with considerable justification, would consider a major testing program tied to the allocation of funds a major encroachment on their responsibility for determining educational needs and objectives. In fact, it is likely that the establishment of a national testing program for this purpose will lead directly to federal control of educational programs and policies. The possibility of federally required concentration of expenditures on reading and mathematics and the use of "individualized instruction" as the instructional methodology for teaching basic skills illustrate the potential danger.

4. Deficiencies in basic skills, although critical to the needs of the educationally deprived student, are not the sole and exclusive educational needs of such students. To limit the efforts of school systems to just those educational areas would stifle creative and diverse approaches to solving the problems of educational depravation.

5. By utilizing scores on a national achievement test as the major criterion for allocation, a sizable number of pupils would be included in Title I entitlements who are not economically disadvantaged even though they are low achievers. In effect, this revised allocation procedure would result in a fundamental departure from the original intent of Title I legislation by funneling such funds to all children regardless of socio-economic status, thereby possibly rewarding those districts which have ineffective instructional programs.

In summary, while there is a certain appeal to using what on the surface seems to be more objective and direct data for the distribution of funds for the economically deprived, there are very serious drawbacks which would militate against the adoption of the use of testing. Though there are considerable problems related to the present procedure of identifying those in economic need, this procedure or refinement of this basic approach would appear the most appropriate way to distribute ESEA Title I funds to the various states.

Sincerely yours,

E. L. WHIGHAM,
Superintendent of Schools.

CALIFORNIA EFFORTS AT COMBATING DRUG ABUSE

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. WALDIE. Mr. Speaker, I have received hundreds of letters from principals and superintendents of schools in my State of California concerning Congress failure to provide funds to local

school administrations for the development of drug abuse programs.

The Select Committee on Crime has already reported their recommendations to the House. If these recommendations are not agreeable, then we should consider some alternative ones. The problem continues to exist, and it deserves our attention.

Mr. Speaker, selections from these letters follow. The evaluations and experiences of these local officials should be of great interest to all Members of Congress.

LETTER FROM GEORGE A. GAMMON

[District Superintendent, Travis Air Force Base, Calif.]

First, the four point program as outlined in your letter appears to be both realistic as to implementation and fiscally feasible. While local school boards must assume their share of the responsibility for the education of drug use and abuse, the eroding effects of drug misuse can seriously affect the ability of a free nation to effectively govern itself and the problem, therefore, becomes a total social problem, requiring all levels of education and support; a thought well expressed within your four point plan.

Second, the State of California has, we feel, met the challenge of providing State leadership in the area of in-service training about drug use and misuse. In 1972 and again in 1973 select personnel from our teaching and nursing staff, together with parents and students, attended two three-day workshops sponsored by a State Drug Task Force Team for the purpose of becoming better informed as to classroom instruction, student referral centers and available community services.

Resulting directly from this plus other related district in-service training, drug education programs were developed and are now in the process of being implemented in grades five through twelve. A district drug education committee is presently charged with the responsibility of monitoring these various instructional programs as to their content and goal attainment.

And third, through the influence of the in-service training programs, particularly as these related to parents, students and nurses, we feel that we have developed an organizational plan whereby the high school and intermediate school students will have the opportunity of a referral center to handle a drug problem as well as a V. D. problem.

In keeping with the shift of the nation's young from one social problem to another, we at Travis see a trend now toward more cigarette smoking and a greater use of alcohol. Sensing this trend, we are attempting to meet this situation through counseling as well as through strengthened classroom instructional programs at all levels.

LETTER FROM LOUIS J. ROSETTI

(Superintendent of schools, Red Bluff, Calif.)

In response to your letter of September 10 regarding the recommendations on the drug abuse problem the following suggestions are offered:

1. Federal funding: More funds should be provided for in-service for teachers, students, and interested people in the community. This in-service should be held during the summer with a stipend and college credit granted. On-going in-service during the year with funds available for substitutes to allow teachers and students a release day to attend.

2. More instruction on morals, values and attitudes rather than on the drug pharmacology. New instructional materials including multi-media for instruction should be available to schools.

3. Counselors are needed, but if teachers and parents have good training in the above, and an empathy for young people, the students will be more comfortable talking with the teacher or parent.

I hope these suggestions are helpful.

LETTER FROM ROBERT E. WALTERS

(Principal, Fairfield, Calif.)

I would like to commend you for your interest in trying to help educate the young people regarding the harm which can be caused by using drugs without medical supervision.

As a school principal, I have had the unfortunate experience of observing our young people using drugs. I feel sympathy for anyone who finds it necessary to use drugs. On the other hand, I feel nothing but disgust, contempt and anger towards anyone who will distribute drugs for a profit.

In addition to the Committee on Crime recommendations, I would like to see a very stiff penalty for anyone who "pushes" drugs. I would recommend that the person who is convicted the second time for such an offense be given the death penalty. Our society should not show any mercy to anyone who attempts to get our young people involved in such activity. The "pushers" are aware of what they are doing and they also know of the serious results of their acts.

LETTER FROM GEORGE P. CHAFFEY

(Superintendent of schools, Redwood City, Calif.)

During the 1972–73 school year we employed, strictly at district expenses, two drug abuse counselors to serve full-time in each of two schools. Those positions were eliminated, however, at the end of the year because of the need to cut our budget by approximately one million dollars. SB 90, passed by the California State Legislature, had a greater negative impact on our district than on any other district in the county.

We continue to give considerable attention to the problem of drug use and abuse in our classrooms, in the use of curriculum materials, through counseling, and through our cooperation with outside agencies. Any expansion of the program or consideration of new approaches will depend very largely on the availability of additional funds from outside sources. The matter of funding is of great concern to virtually all districts this year; therefore, I would hope that either at the Federal or the state levels adequate funding will be provided for any and all new programs that school districts are expected to undertake.

LETTER FROM DORAN W. TREGARTHEN

(Superintendent of schools, Oxnard, Calif.)

My input is simply to voice concern that we do not have an agreed upon approach to the control of drug abuse. Apparently much of what we have been doing in the schools has been counter-productive; the various exhibitions and displays that have been shown to schools have, according to some researchers, encouraged drug abuse rather than discouraged it. Therefore, the crying need at the school level is for a definitive statement on how best to control drug abuse. Until then, simply telling us to increase our staffs and provide funding for doing that are not, in my opinion, in order.

LETTER FROM MARY S. REED

(Superintendent of schools, El Segundo, Calif.)

The recommendations of the Select Committee on Crime to combat the drug problem among our young people are excellent and should certainly help. The availability of funds will encourage school districts to develop and implement programs that will be effective.

When a district is actually ready to plan a program, specifics are needed. While there are avenues locally that may be used, any additional information or expertise that may be offered would certainly be welcome.

LETTER FROM WALLEN L. ANDREWS

(Superintendent of schools, Whittier, Calif.)

In reply to your letter of September 10, 1973, requesting my suggestions for the Select Committee on Crime recommendations, most school boards have initiated programs on drug abuse instruction for teachers. The difficulty is training the teachers, especially at the elementary level. Professional drug counseling staffs are needed at the high school level but will not be provided until funding is available to finance the program.

It is my opinion that at the federal level policies and funding should be developed for cooperation with state boards of education which, in turn, should have the responsibility of developing programs for drug abuse instruction plus the funding necessary at the local level.

LETTER FROM ALBERT D. COLEBANK

(Consultant, health and physical education, Ontario, Calif.)

The Select Committee on Crime has devoted most of its attention to counseling, treatment, and rehabilitation of drug users. As an educator in an elementary school district, I am primarily interested in preventing drug abuse. What is the best approach for teachers to use in drug education? What educational programs have proved to be most successful? Are informational programs counter-productive? These are some of the questions that need to be answered by extensive longitudinal research, a type of research that few school districts are able to undertake. The National Commission on Marijuana and Drug Abuse, in its report several months ago, dealt with some of these questions and included this statement: "No drug education program in this country or elsewhere has proven sufficiently successful to warrant our recommending it."

In summary, I suggest that federal funds be allocated to research that will attempt to identify effective school drug education programs.

LETTER FROM LLOYD WAMHOF

(Director, drug abuse prevention program, Fresno, Calif.)

Regarding the establishment of "professional drug counseling staffs" in the schools, this would immediately establish the clients as drug users and may then deter their seeking such help. Through our program, we have placed ombudsmen in the schools to act as adjuncts to the school counselors. These people are purposely not labeled a "drug counselor" because they are concerned with basic human behavior, not "drugs". Our experience has shown that students come to these ombudsmen with a myriad of personal problems, which often include drugs. Because of their unique position on the counseling staff, they can handle immediate problems immediately, can assure confidentiality, and can meet the one great need—that of giving time to the student for what we term "active listening".

I would like to offer some specific recommendations:

GENERAL PHILOSOPHY:

1. Decentralization of the drug issue, with integration into a total mental and physical health program, K–12.

2. A shift in existing programs toward primary prevention; the tremendous sums now being poured into rehabilitative efforts assume a never-ending stream of students needing these after-the-fact services.

RECOMMENDATIONS:

1. Improved training of health educators, broadening their scope, making the study

of health not just a study of the body, but of the emotional and mental health of the students in society as a whole.

2. With all teachers, K–12, greater emphasis on self awareness and the development of a positive self image.

3. There should be an enhancement of interchange between students and teacher but with the teacher maintaining his role as model.

4. There is seen development toward more education in the affective domain, which should be encouraged and emphasized.

Young people spend many hours in the school environment, making it absolutely necessary for the educational systems to assist in the development of decision making skills, the clarification of values, and the ability to function with an understanding of self and others.

5. A parent and community awareness program should be initiated in each school district. Those predispositions which lead to the mis-use of drugs usually start in the home. Additionally, the parents must be made aware of the efforts and goals of the educators.

LETTER FROM DAVID C. GRAY

(Superintendent of schools, Atascadero, Calif.)

We were able to utilize Federal funds under the California Council on Criminal Justice for a three year project which ends September 30. The District, on its part, contributed matching funds of $10,000 each year to the program. The program included the following:

1. The establishment of a Drop-In Center servicing all students in the District and nearby areas.

2. An In-Service Drug Education program for all staff members in the District. Approximately 10 hours were spent each year in this particular area highlighting the preventative, corrective, and rehabilitative approaches to drug problems.

3. An advisory committee of adults met periodically to review the program.

4. Coordination of servicing agencies for the mutual help of the individual. These agencies included the court, mental health, hospital, law enforcement, foster homes, probation and welfare.

There is available a full statistical evaluation of the program which was given an extremely high rating by the State of California and meritorious commendation by the County Grand Jury. Further, the Sheriff's Department has shown almost no arrests for drugs in the Atascadero area during the past two years. Students involved have shown better school attendance and better grades. Much less vandalism in the schools and community has been noted.

The problem that faces the School District is the fact that Federal funds have now expired and our program this year will be seriously curtailed. The District is continuing to seek outside funds so that we may continue the same level of progress that we have noted for the past three years.

What I am attempting to portray in the way of information is that many projects of assistance to various communities and agencies are considered as seed money and help said agencies establish programs. However, it is very important that these programs continue to be maintained by continued financial assistance.

LETTER FROM B. A. BARSOTTI

(Principal, Madera, Calif.)

My foremost suggestion is that a much stronger enforcement of the law is the one area that the vast majority of the Junior High students respond to quickly when they are involved. Also a stronger commitment on the part of parents toward their own situations. As a personal experience, these students just don't believe that anything will happen upon breaking the law or from the uses of drugs. The recommendations offered by your committee, I feel, will have very little impact.

A NEED FOR REEXAMINATION

HON. JOHN BRECKINRIDGE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. BRECKINRIDGE. Mr. Speaker, Wednesday was a significant day for the House of Representatives, and the District of Columbia, as it passed a long-awaited bill conferring a decent measure of home rule upon the people of the District of Columbia. One of the more important aspects of the bill, about which I have been particularly concerned, is its judicial article and, more particularly, sections 431 to 434, inclusive.

H.R. 9682, as reported out by the full District Committee on June 30, went a long way toward insuring the competence of superior and District of Columbia appellate court judges as the bill in its then form provided for an appointment process whereby the then-contemplated appointing authority, an elected mayor, would nominate judges from lists—totaling no more than seven persons—provided him by the Nominating Commission. The members of the Nominating Commission would themselves be men qualified to become judges in the District, and would be appointed as follows: two by the Unified District of Columbia Bar and the Board of Governors; two by the Mayor from names submitted by the Council; one by the Speaker of the House; one by the President of the Senate; and three by the President of the United States. I was satisfied that this selection method, whereby the District's judges would in effect be nominated by their peers and appointed for 15-year terms, insured both the quality of the bench and the insulation of the District's trial and appellate courts from partisan political considerations.

However, insofar as the provisions governing the reappointment of judges under H.R. 9682 were concerned, I was persuaded that we had not afforded the administration of justice and the bench adequate protection; the bill, as reported out on June 30, vested too much discretion in the appointing authority, in my view, to reappoint or not to reappoint sitting judges. For that reason, working with the American Judicature Society and the American Bar Association, I urged the bill's amendment to provide for the appointment of an independent Tenure Commission, identical in composition to the membership of the Nominating Commission, and for the creation of a rating system to be applicable to those sitting judges desiring reappointment to additional 15-year terms on the bench.

As the committee substitute now reads, the Tenure Commission would rate any such sitting judge as being "exceptionally well qualified," "well qualified," "qualified," or "unqualified." If rated "exceptionally well qualified" or "well qualified" the judge shall be automatically reappointed. If rated "qualified" the President might, within his sole discretion, submit his name for consent to the Senate. If rated "unqualified," a vacancy would automatically be deemed to exist upon expiration of his term and that particular judge would be ineligible for a District judgeship.

It would appear self-evident that such a system of reappointment would adequately protect the bench from undue political influence at the same time that it offered to potential and sitting judges a guarantee that their tenure on the bench would be based solely upon merit selection, thus encouraging those most qualified to serve. As amended, the House bill now has the endorsement of the American Judicature Society, as endorsed in the following telegram from the president, John S. Clark, received by me on the floor of the House during the debate on this measure.

TELEGRAM

CHICAGO, ILL.,
October 10, 1973.

Hon. JOHN B. BRECKINRIDGE,
House Office Building,
Washington, D.C.:

I strongly endorse and urge support by all Members of Congress of the principles of merit selection of District of Columbia judges encompassed in sections 431 to 434, inclusive, of the October 9 committee print of the amended committee bill redesignated H.R. 9682 on the government of the District of Columbia.

This measure in my judgment has been greatly strengthened by the committee amendment which provides security of tenure for competent judges by assuring reappointment at ends of terms of those given a rating of "exceptionally well qualified" or "well qualified" by the Tenure Commission but making reappointment optional at the discretion of the appointing authority and requiring reconfirmation when the Tenure Commission finds a judge merely "qualified." A rating of "not qualified" of course would rightly eliminate any incumbent judge from reappointment. These security of tenure provisions are critically important to insure judicial independence while at the same time making it possible to periodically reexamine judges' qualifications based upon their judicial performance.

This bill, which provides for a Nominating Commission to minimize the element of political influence in the judicial selection processes, for executive appointment to hold accountable the public official who ultimately makes the appointments and for a method of appraising the performance of judges on the bench, contains all of the ingredients of the best method for selecting judges yet devised by the mind of man. Enactment of this proposal is essential if the District of Columbia is to be served by the most qualified men and women who are available for judicial appointments.

These merit selection and tenure provisions are not in conflict with the significant system by the 1970 District of Columbia Court Reorganization Act. They are designed to enhance the system and its operations by providing a means of getting the best personnel obtainable to operate it.

Merit selection systems are now in effect in over half of the States and are working well. This method of judicial selection has been endorsed by the American Judicature Society, the American Bar Association, and other responsible legal and nonlegal organizations.

JOHN S. CLARK,
President, American Judicature Society.

As appears from the following report, "The Extent of Adoption of the Non-partisan, Nominative, Appointive, Elective Plan for the Selection of Judges," June 1, 1973, of the American Judicature Society, 28 States and Puerto Rico have adopted the principles, or a portion thereof, ennunciated herein, and espoused by the American Judicature Society since 1913 and by the American Bar Association since 1937. The action of the House places the District's judicial system in the vanguard of those jurisdictions professionalizing and depoliticizing the administration of justice.

The report follows:

THE EXTENT OF ADOPTION OF THE NONPARTISAN NOMINATIVE, APPOINTIVE, ELECTIVE PLAN FOR THE SELECTION OF JUDGES

Non-partisan judicial selection through a nominative, appointive-elective system is based on a pattern first advanced by the American Judiciature Society in 1913. The plan embodies three basic elements:

(1) Nomination of slates of judicial candidates by non-partisan lay-professional nominating commissions;

(2) Appointment of judges by the governor or other appointing authority from the panel submitted by the nominating commission; and

(3) Review of appointments by voters in succeeding elections in which judges who have been appointed run unopposed on the sole question of whether their records justify retention in office.

Twenty-eight states and Puerto Rico now use part or all of these basic elements in filling judicial vacancies in some or all of their courts. No two versions of the plan are alike and consequently several variations exist. Not all states, for example, use the third basic element, commonly called merit retention, and the variations in merit selection plans now in use can generally be placed in two categories, the methods by which the plans were adopted and the extent of their coverage.

The summary chart below reflects the methods of adoption by letters, and the coverage is indicated by the columns in which these letters appear. Students interested in finer distinctions in each of the plans are urged to refer to applicable laws and other appropriate sources of information which are available from the American Judicature Society.

Merit selection plans have been made effective by four means, constitutional provisions (C), statutory measures (S), municipal home rule charter provisions (HRC) and governors' or mayors' pronouncements either in the form of written executive orders (V–1) or informal public commitments (V–2) to rely in filling mid-term vacancies on lists of candidates furnished by nominating committees consisting sometimes of special bar committees but more often of committees with lawyer and laymen members. The fact that some appointing executives who adopted or succeeded to the use of their predecessors' voluntary plans may opt on occasion to disregard the nominating committees' recommendations confirms the inherent weakness of such plans and the need to make them mandatory by constitutional amendment or other appropriate legal means.

In the second category, most jurisdictions utilize their plans, however they were effectuated, in filling all judicial vacancies in both the appellate courts and the courts of general trial jurisdiction. Some also add the courts of limited jurisdiction while a few limit their plans only to certain courts or levels of courts which are specifically designated. As the summary chart below will disclose, therefore, while all merit selection plans have nominating commissions or committees and involve the executive in making appointments to fill vacancies, either between-election or all vacancies depending on the plans, the courts affected vary from all of them to single courts.

The summary chart follows:

A SUMMARY CHART

States	Nom. comm.	Gov. or other appt.	Merit ret.	High ct.	Inter. app. ct.	Trial ct.	Cts. lim. jur.
Alabama, Jefferson County	C	C				C	
Alaska	C	C	C	C		C	
Arkansas	V–2	C		V–2		V–2	
California		C*	C	C	C		
Colorado, Denver	C	C	C	C	C	C	C
Delaware	V–2	C					V–2
Florida*	C	C		C	C	C	C
Georgia	V–1	C		V–1	V–1	V–1	
Idaho*	S	C		S		S	
Districts	S*		S				S
Illinois			C	C	C	C	
Indiana	C	C	C	C	C		
3 counties	S*	S	S			S	
Iowa	C	C	C	C		C	
All counties	S*						S
Kansas	C	C	C	C			
Louisiana, New Orleans	C	C					C
Maryland	V–1	C		V–1	V–1	V–1	V–1
Missouri	C	C	C	C	C*	C*	C*
Montana*	C	C		C		C	
Nebraska	C	C	C	C		C	S
New Jersey	V–2*	C		V–2	V–2	V–2	V–2
New Mexico	V–2	C		V–2	V–2	V–2	
New York, New York City	V–2	C					V–2
Ohio	V–1	C		V–1	V–1	V–1	
Oklahoma	C	C	C*	C		V–2	V–2
Pennsylvania	V–1	C	C	V–1	V–1	V–1	
Puerto Rico	V–2	C				V–2	V–2
Tennessee	S	C	S	S	S		
Utah	S	C	S*	S		S	S*
Vermont	S	S*	S*	S		S	S
Wyoming	C	C	C	C		C	

NOTES

States with asterisks (Florida, Idaho and Montana) have constitutional or statutory plans limited to filling judicial vacancies between elections. Asterisks beside letters denote particularly unique features of some state plans as explained below:

California: A commission comprised of elected officials must approve all appellate court appointments the governor makes.

Idaho Districts: The statutory plan for designating district court magistrates creates commissions in each district comprised of elected officials and district judges who recruit, screen and appoint. Legislation adopted in 1973 makes all magistrates subject to merit retention elections instead of reappointment at the end of terms.

Indiana Three Counties: Allen, Vanderburgh and Lake Counties' trial courts are under merit selection and tenure plans enacted for each of those counties and in different legislative sessions. These plans do not apply to the circuit courts in those counties.

Iowa All Counties: Under court unification legislation enacted in 1972, county magistrate appointing commissions were established which have the power to recruit, screen and appoint magistrates. These procedures are repeated at ends of terms when the law provides for the reappointment or replacement of magistrates.

Missouri: The original constitutional plan, while mandatory statewide with respect to appellate courts, is limited to trial courts in the two largest population centers of the state, St. Louis city and Jackson County. Local option provisions exist in the constitution, but until recently the legislature has refused to approve implementing legislation. In 1967 and again in 1972 bills were passed to give the voters of St. Louis County, in the first one, and the voters of Clay and Platte Counties, in the second, a right to vote on extending the plan to their counties. In all three the issue passed with substantial majorities.

New Jersey: The plan used in this state involves two types of bar committees, one to recruit prospects for the governor to nominate and another to screen and rate his choices before appointments are formalized.

Oklahoma: The constitutional plan in this state applies only to the appellate courts, but under a policy followed by two successive gubernatorial administrations, the plan is used for filling all trial court vacancies, too. The merit retention part of the plan, therefore, is inapplicable to trial court judges.

Utah: Two things need to be noted. Under this state's unique merit retention law, any lawyer can file against an incumbent judge. Under such circumstances the candidates oppose each other on non-partisan judicial ballots. If an incumbent draws no opposition, which is generally the case, he runs on a standard merit retention ballot which calls for a yes or no vote on his remaining in office. Another plan exists by statute for judges of juvenile courts. It calls for a special nominating commission consisting of elected officials. There are no provisions for merit retention since incumbents must stand for reappointment or replacement at ends of terms.

Vermont: Consistent with an historic constitutional requirement for legislative appointment and reappointment of judges, both houses make initial appointments from lists furnished by a nominating commission and vote on merit retention ballots for retaining or rejecting incumbent judges when their terms end.

Mr. Speaker, in view of this endorsement and that of the American Bar Association printed in Wednesday's issue of the RECORD, I believe that the conference committee should give serious consideration, in the spirit of self-determination, and in recognition of the fact that ours is a government of laws rather than men, to restoring the bill to its prior condition by providing that the elected Mayor of the District of Columbia, rather than the President of the United States, serve as the appointing officer. It is my hope that this mistake in understanding of the true nature of the independence of the District's judiciary, as provided for in H.R. 9682 as revised, will be corrected in conference.

EPA REVISES REGULATIONS FOR WASTE TREATMENT PLANTS; WILL ALLOCATE FUNDS TO ALL STATES ACCORDING TO LAW

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. MATSUNAGA. Mr. Speaker, I am pleased to share with the House my sense of satisfaction upon learning yesterday that the Environmental Protection Agency—EPA—had agreed to revise its regulations allocating reimbursement grants under section 206 of the Federal Water Pollution Control Amendments of 1972.

Congress clearly mandated in that act that funds appropriated for that purpose would, if the amount were not sufficient to cover all of the States' eligible needs, be prorated among the qualifying States. Instead, however, these funds were allocated to only half the States, with a handful among that half receiving the bulk of the money. Twenty-four States found absolutely no funds were allocated for them; 14 more were informed they would be reimbursed only a fraction of the amount they were entitled to.

But through the persistent efforts of the Public Works Committees of both Houses, and because of the strong support of Members of the House who cosponsored legislation I introduced to compel a revision, the funds will be restored. Not only will each State receive its entitled share of funds, but, perhaps more importantly, a measure of trust has been restored between the EPA and State environmental authorities.

I applaud the efforts of all those who participated in rectifying the unfortunate situation, including the EPA. I further urge my colleagues to join me in a continuing effort to fulfill the commitment to reimburse fully those States which answered the Federal call to clean up the Nation's waterways and shorelines. In this connection I will soon propose that we substantially increase the present $1.9 billion appropriation, which has met less than 80 percent of the estimated qualifying needs of the States.

At this point in the RECORD, Mr. Speaker, I include a list of my distinguished colleagues who cosponsored my resolution to counter EPA's original proposed regulations. They can rightly take credit for reversing the adverse action of the EPA.

The list follows:

Brock Adams, of Washington.
Glenn Anderson, of California.
Thomas Bevill, of Alabama.
David Bowen, of Mississippi.
George Brown, of California.
George Danielson, of California.
Ron Dellums, of California.
Frank Denholm, of South Dakota.
Don Edwards, of California.
Dante Fascell, of Florida.
Daniel Flood, of Pennsylvania.
Richard Ichord, of Missouri.
William Ketchum, of California.
Richard Mallary, of Vermont.
Dawson Mathis, of Georgia.
Paul McCloskey, of California.
Lloyd Meeds, of Washington.
John Melcher, of Montana.
G. V. Montgomery, of Mississippi.
Thomas Morgan, of Pennsylvania.
John E. Moss, of California.
William Nichols, of Alabama.
Wayne Owens, of Utah.
Claude Pepper, of Florida.
J. J. Pickle, of Texas.
Edward Roybal, of California.
John Saylor, of Pennsylvania.
John Seiberling, of Ohio.
Charles Teague, of California.
Charles Thone, of Nebraska.
Charles Vanik, of Ohio.
Joseph Vigorito, of Pennsylvania.
William Whitehurst, of Virginia.
Charles Wilson, of California.
Gus Yatron, of Pennsylvania.

ADDRESSING URBAN ECOLOGY

HON. PARREN J. MITCHELL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. MITCHELL of Maryland. Mr. Speaker, I would like to pass on to you today the insights of Mr. Larry Young, urban environment director of the Izaak Walton League of America, on the subject of urban environmental concerns. His article, entitled "Fresh Approaches to the Metropolitan Wilderness," reveals a perception of wide scope. Mr. Young urges us all to adopt his comprehensive outlook toward the critical ecological problems facing us at present. By demonstrating clearly that urban and nonurban problems are inextricably intertwined, he shows us that answers must be sought which address themselves to both communities.

FRESH APPROACHES TO METROPOLITAN WILDERNESS

I have been requested to speak from the text—"Fresh approach to metropolitan wilderness." I intend to discuss the rapid progress of environmentalists and the new responsibilities which that progress creates. I want especially, however, to explore with you the way in which these environmental issues relate to the metropolitan wilderness of our cities—the problems of poverty, and cultural deprivation.

Let me for a few seconds draw you a vocal picture of the metropolitan wilderness. First, it is a fact that man is a part of, and the creature of, his environment. Wouldn't it be great if every man could be programmed by his genetic inheritance to need and then obtain clean air, clean water, and wholesome, pure food. The environment of life is more than land, air and water. It is also where we live, work and play. It is the products we consume or use. Today, for too many people living in the metropolitan wilderness it is noise and crowding. It is garbage piling-up in halls and alleyways. It is rats and insects and crumbling, insanitary housing. It is clogged highways—and unsafe cities.

One can take any city map and outline the wilderness areas—where bad housing, bad sanitation, air pollution, garbage accumulation, rats, stray dogs, noise and other environmental stresses are at their worst.

Despite such a picture—there are all too many earnest and well-intentioned people who reject the current concern for the environment as a false issue, a "middle-class" issue, or a distraction from more real and pressing social needs. Oddly enough, many say this anti-ecology backlash is being voiced by many who have "little more in common than the smoggy air they breathe." A black militant avows that he doesn't give a damn about ecology. Someone else wonders whether mankind will suffer "a whole hell of a lot if the whooping crane doesn't quite make it," and the ladies of the DAR regard the environmental movement as "one of the subversive element's last steps."

Obviously, I don't agree with any of these sentiments. Those who do, it seems to me, do not understand what we really mean by "the environment." Most of all, they have failed to recognize the complex ways in which our social and environmental ills interact . . . that they have their origins in the same root causes that they contribute to and intensify each other . . . and that their solutions are inextricably bound together.

It seems to me that young people—those whose concern for civil rights and peace and equality has now been extended to include ecology—understand these relationships. Part of what young people are trying to say, these young people who were born into a world of space travel and television and nuclear fission, is that the problems of pollution and urban decay and wasted resources are intertwined with and form part of, the problems of hunger and poverty and the physical and psychological ills that are their constant companions, that together they constitute a kind of Medusa's mirror in which we see our hallowed institutions "warts and all" with all the flaws and all the contradictions in good intentions that have shaped a world which even the most favored find far from satisfactory.

And who bears the principal burden of all these environmental ills? The residents who live in the metropolitan wilderness. What kind of populace resides or migrates to such a wilderness? Probably the poor, itinerant farm worker, who, is, as we all are, carrying around some 12 parts per million of DDT in fatty tissue. But who's getting the biggest dose?

Or take another pollutant: mercury. Whose children suffered brain damage because mercury-treated seed grain was fed to hogs that were later slaughtered and eaten? And, if mercury pollution is concentrating through the food chain in fish—who is it that is most apt to live on a diet of fish taken from polluted streams and coastal waters. The *poor*. And where do the vast majority of this country's poor populace reside—in the metropolitan wilderness.

Where do you find unvented gas heaters that can sicken and kill with carbon monoxide fumes? Where are you likely to get tainted or adulterated food? Not on Miami Beach.

Who goes down in the mines and gets "black lung"? Or gets skin cancer from coal tar? or byssinosis from cotton dust in the textile mills?

We're all breathing a certain amount of lead these days—and it's not good for any of us. But whose children are being poisoned by the lead paint chips off old tenement walls?

Who suffers most from living in the metropolitan wilderness with the polluted air, the crowding, the noise, the rodents, the garbage of our cities? The lack of open spaces and greenery? Not the rich or the middle class, who can afford to get away from these things.

Believe me, these are not inconsequential things—they may well be among the most important factors that hold people in an unbreakable cycle of poverty. Anyone who is concerned with the social and economic inequities of our society has simply got to be concerned with the environment (the metropolitan wilderness, too) in which people live.

Now we find that we have built cities (within the metropolitan wilderness) that are almost unliveable; we have allowed vast areas of rural America to be emptied of people and promise and have filled our crowded cities with the victims of rural blight; we've built "high-speed" highways on which "high-speed" cars move at horse and buggy rates; we have built an industrial system that gives us an affluence never before seen in the

world—and that pollutes the very air and water on which our lives depend.

Let me hasten to add—before I am cast with the ecology "subversives"—that these contradictions (i.e. about the metropolitan wilderness) are certainly not unique to our own Nation. They are being confronted by every developed and developing country, including those having totalitarian communist regimes. In other words, the same kind of "tunnel vision" seems to have afflicted all societies in their single-minded pursuit of technological and economic progress.

In our country we have finally come to see that these things diminish the quality of life for all, and people are beginning to ask themselves where we went wrong. For the first time, it seems to me, Americans are beginning to reassess the values and viewpoints of the past that have been, until recently, enshrined in many minds as the sacred cow of the "free enterprise system" or the "American Way." They're beginning to take a more *wholistic* ecological view of our economic, social and political philosophies. Being the optimist today, I can visualize Joseph Penfold's sought after dream that I work hard, why?—"If we can't provide a liveable environment for everybody, we can't provide it for anybody."

The Izaak Walton League of America is re-examining its role in the fight to protect and enhance the environment. The Office of Urban Environment was established in July, 1972 when it had become evident that the need to act on urban environmental problems requires special attention by the League. League President Roy Crockett established the first national Urban Environment Committee broadly representative of the League's membership—Iowa, Ohio, Indiana, Nebraska, Maryland, California, and Minnesota.

Hopefully today there are few who are unaware of the ecological devastation of pollution but our awareness must go further to an understanding of the bearing this has on the human community. The League has championed purity of water, value of wildlife, clarity of air and stewardship of the land. We want to see these objectives achieved in meeting the needs of communities throughout the nation. Among the most pressing needs are those found in our metropolitan wilderness, in our urban communities and within those, in the neighborhoods which suffer greatest from the ill effects of pollution.

I have been under the skillful hand and mind of Joe Penfold who fathered the League's interest in urban environment concerns and who asked me to direct such efforts. Since then, the Office of Urban Environment (OUE) has had a five-point plan:

Promoting active urban membership;

Developing conservation and environmental education programs directed to urban dwellers;

Stimulating urban environmental action programs;

Establishing conservation areas outside urban boundaries accessible to urban children; and

Promotion of urban citizens involvement in environmental planning and decision making.

We see this as a fresh approach to the metropolitan wilderness.

We believe that the problems of the environment have not been examined from the point of view of the urban dweller. Such examination will have a beneficial effect on the League and hopefully, the raising of questions will stimulate the OUE programs to discover actions that could be taken to result in solid achievements. For example, our steadfast fight to get 900 acres of land turned over to the citizens of Washington, D.C. and the use of the open space and waterfront area to be for the public at large at Anacostia-Bolling Field. A symposium we organized and a petition for an environmental impact statement attracted the attention of some congressmen and with their aid what was a lost cause has been turned to favor the Anacostia community and the environment.

We believe that we must explore preventative measures for the future and even more importantly, explore ways to enhance the quality of life for the urban dweller and to involve him/us in that objective. Our 15 urban project cities are a big plus in that direction.

We must listen not only to the advice of technical experts but also to those who are most affected by the plight of the urban environment. I encourage your suggestions both as to what the problems are and what can be done. No one person or organization can single-handedly solve the vast urban problems but each can play a part in assuring that in the future our cities will be pleasant and healthy for all who choose to live in an urban environment.

AN INFORMED MEMBERSHIP IS AN ACTIVE MEMBERSHIP

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. GAYDOS. Mr. Speaker, on many occasions on the floor of the House we have heard facts and figures quoted regarding the various trade restrictions imposed on U.S. products by foreign governments and their effect on American workers and their jobs. Similar testimony has been given before various committees charged with the responsibility of correcting these inequities.

Invariably, the source of the quoted material or testimony is a well-informed, knowledgeable individual who serves as the representative of a group or organization concerned over the situation. Rarely, have we actually had the opportunity to hear from the worker himself. Because he cannot afford to take time off from his job to come to Washington, he must rely on a spokesman to get his message across to Congress.

However, I assure you the worker, too, is well informed about our Nation's trade problems. As an example, I would like to insert into the RECORD an article which appeared in the September issue of the Labor Journal. The journal is a news letter, published by Local 1557, USWA, in the city of Clairton, Pa., whose masthead proclaims "An Informed Membership Is An Active Membership."

Mr. Speaker, the article, written by a steelworker, cites several developments in international trade which have as their common denominator the loss of American jobs. The article follows:

U.S. CARS GO ABROAD MINUS MOTORS—AND JOBS

These days, even if an American auto company can export cars to a foreign country, those autos are often sent minus some essential parts—such as engines.

This is because of an anti-free trade device used by some nations known as "local content" law. These laws, which exist in different forms in most so-called "developing countries" and such nations as Canada, Mexico, Spain and the Soviet bloc, require that a certain percentage or certain parts of goods sold there must be made in that country. In other words, these nations decide in advance just how much of your product they will allow to come in.

So American Motors is in the position of sending 1974 Hornet models to South Africa without engines. The engines that will go into the cars will be South African-made General Motors products.

In this case, between 1,400 and 1,500 motorless American Motors cars will go to South Africa—and the jobs that would have produced the motors in the U.S. will be handed over to South Africa.

NEW AMERICAN CAR TO MAKE DEBUT

A new "American" car is about to make its debut. Volvo, the Swedish auto maker, has announced plans to "build" autos in the U.S. at a $100 million plant in Chesapeake, Va. Production is planned to start late in 1976 at an annual rate of some 30,000 cars. This will be expanded to 100,000 by 1980. Workers in the plant will be represented by the United Auto Workers, and by 1980 will number some 3,000.

Nearly all of the parts for the Volvo will be imported from Sweden. The plant will merely, at first, be an assembly plant.

This pleases S. J. Strasburg, a New York City Volvo dealer. He says: "This will help us put to quiet all that garbage about Buy American." Sure, with a foreign named car of all-Swedish-made parts put together in the former colony of Virginia, how American can you get?

RUSSIANS ARE COMING—WITH TRACTORS

American farmers may soon be plowing ground with Russian-built tractors for the growing of American wheat to sell to the Russians.

This likelihood of Soviet-manufactured products at home is to take place regardless of the current trade bill's special benefits to the Russians.

The New York Times reports that a company in Canada which sells tractors imported from Russia is planning to move into the U.S. markets next year. The company, Belarus Sales, is American-owned. In partnership with Belarus Equipment of Canada, which is Soviet-owned, it already is selling Russian-built tractors in Canada.

Belarus Sales figures that its planned move to Milwaukee in 1974 will put it within reach of the bulk of the $8.5 billion U.S. market for farm machinery.

Belarus is not the only company with the idea of selling tractors made by Communist bloc countries in the U.S. Auto-Tractor, which is a Rumanian product, is joining with the Canadian province of Saskatchewan to build a tractor assembly plant there from which it hopes to invade the U.S. tractor market.

REPORT ON TAIWAN SHOWS HOW U.S. JOBS VANISH

A classic example of how U.S. jobs have been exported in the electronics industry is provided by a recent report on how well Taiwan is doing selling television sets in the U.S.

The report, which appeared in The Washington Post, says that sales of Taiwan-made TV sets are booming. By the end of 1972, Taiwan's sales to the U.S. were $314.4 million, second only to Japan.

These sets which are sold to Americans come from American companies which closed down production in the U.S. and moved to Taiwan.

Last year, five of Taiwan's 10 largest exporters were subsidiaries of U.S. electronics firms—RCA, Philco-Ford, Admiral, General Instrument and Zenith. And most of the profits in Taiwan electronics industry come from trade with U.S.

"Last year," the report continued, "more than $257 million of made-in-Taiwan radios and televisions were sold to the U.S. In the first quarter of this year, Taiwan was the U.S. largest supplier of foreign-made black-and-white television sets—selling nearly two times as many as Japan.

The article added: "The majority of these

consumer goods were produced in American-owned factories, making use of materials imported primarily from Japan and, of course, Taiwanese labor."

With the help of these "American" products—which are made in Taiwan at the expense of U.S. jobs and production—Taiwan's trade surplus with the U.S. in 1972 was $686 million, which is larger than that between the U.S. and the whole European Economic Community.

Buy American—support Burke-Hartke.

FOREIGN AID AND HUMAN RIGHTS—THE PHILIPPINES

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Ms. ABZUG. Mr. Speaker, yesterday, I testfiied before the Subcommittee on International Organizations and Movements of the House Committee on Foreign Affairs. This subcommittee is focusing on the international protection of human rights. In this time of massive deprivation of civil liberties all over the world, only the most dramatic cases catch our attention. At the moment these are Chile, Vietnam, and the Soviet Union. In the heat of debate and rhetoric one loses sight of the basic historic reality. The deprivation of human rights is not an historic accident or the product of inherently evil people. It is the product of particular values and historic circumstances that do yield to analysis. When people are intolerant of others and seek to resolve conflicts by suppression rather than debate and compromise, it is human rights that suffer. I have chosen a typical case in the Philippines to drive home one further point. If the United States were not constantly supplying the military and economic resources, governments like that of Marcos in the Philippines would not have the means and opportunities, no matter what motives were present, to avoid facing conflict and beginning the process of meaningful resolution.

I hope we have learned enough from the tragedy of our involvement in Vietnam to recognize the symptoms and not repeat tragedies elsewhere. I urge your attention to the present circumstances in the Philippines examined in my testimony which now follows:

TESTIMONY OF CONGRESSWOMAN BELLA S. ABZUG

Mr. Chairman, members of the Committee, thank you for the opportunity to make a few observations on the enormous task implicit in the series of resolutions and bills on human rights which you are considering. I want to commend their spirit at the onset.

Mr. Chairman, people do not permit other people basic freedoms or civil liberties because of any given set of laws or institutions. Freedom requires at least the tolerance of diversity. Tolerance is a rare commodity in a world where most people are taught that the ultimate purpose of existence is the acquisition and maintenance of material, political and social power. Diversity threatens by upsetting the rules of competition and by conjuring up alternate values and models, alternate realities. It is thus not accidental that the junta in Chile and the rulers in Saigon and Manila, to mention but three, deny fundamental liberties to their peoples.

To hope to change this millennial human quandary by affording the United Nations greater powers is a noble vision. But human beings and governments act out of means, motives, and opportunities. To change motives is an enormous long term political process that will not get off the ground as long as the resources of the world are so maldistributed and so finite both within each society and between the developed and less developed countries. For the United Nations to make serious progress in this area it must be given more than the power to embarrass. It must be given substantive political power and a substantial economic base.

Thus while I commend the accretions of power envisioned in the United Nations and the International Court of Justice by these resolutions and favor their passage, I shall today urge your attention specifically to the passage of H.R. 10455. For this bill envisages more than the creation of a Bureau for Humanitarian Affairs within the Department of State, which is itself a promising idea. This bill also offers a concrete way to change people's opportunities and means and therefore to change behavior. If we cannot educate governments to tolerate their citizens and to grant basic human freedoms, we can diminish significantly the means and thus the opportunities for totalitarian behavior. It would indeed have an extremely sobering and humanizing effect on many nations if it were, as is provided in Section 4 of H.R. 10455:

"The policy of the U.S. government to terminate all military assistance and sales to any government committing serious violations of human rights, and to suspend any economic assistance directly supportive of the government committing such violations."

It would be relatively easy to document for you the extreme cases of contemporary Chile or South Vietnam where American aid has played a major role in creating conditions under which people are daily seized, tortured, incarcerated and even executed without any semblance of justice. If the Chilean military had not been granted some $28 million of military aid in FY 72 and 73 (and $11 million more this current fiscal year), they would scarcely have been so ready and capable of overthrowing a legally elected government. And if the United States and the multinationals had not adversely manipulated both national and international economic conditions, the Allende government might well have worked its way past whatever initial policy mistakes it made.

It takes little imagination as well to draw the much less subtle correlations between granting $2 to $2.5 billion a year of military and economic aid to the government of President Thieu and the particular policies he pursues. Indeed if the United States did not supply 85–90% of the total resources of the GVN, that government would not even exist. As it is we permit Thieu the luxury of a 1.1 million man army and a 122,000 man police force. Thieu has no need to tolerate diversity of opinion and he doesn't. As I have testified in detail elsewhere (see the *Congressional Record*, September 13, 1973, p. 29747, and October 3, 1973, p. E6260), the painful results are currently some 100—200,000 political prisoners, a computeriezd system of national identity cards ideal for the most modern totalitarian harassment, and an ongoing civil war which threatens ominously to reescalate in the near future. It is a profound tragedy that we so miseducated the present ruling class of South Vietnam through two decades of "aid" programs. But it is unconscionable that we perpetuate the destruction of civil liberties by supplying Thieu with the means and opportunity as well as the values.

Chile and South Vietnam are admittedly extreme cases of the abuse of human rights. I want to focus your attention today on the Philippines which has just completed its first year under the martial law of President Ferdinand Marcos. My interest in the Philippines was heightened by my recent visit there as part of a Congressional fact-finding tour. Reports in the American press on internal Philippine conditions have often been positive over the last year. Daniel Southerland in *The Christian Science Monitor* on September 21 found the Philippines happy with martial law. If one looked beyond the headlines, however, Mr. Southerland was talking about the happiness of domestic and foreign businessmen. If one were to go beyond the media image projected by Marcos the realities for the ordinary Filipinos are not so happy.

Martial law has permitted Marcos to end the freedoms of speech, press, and assembly guaranteed to the Philippine people by their constitution. See for example *The New York Times* of April 3, 1973 for a study of Marcos' attempts to overrun the Philippine Supreme Court. Marcos has prohibited all constitutional methods of political opposition. Thousands of Philippine citizens languish in jail, others have been forced into the political underground, and still others have turned to guerilla resistance. There is no way to get an exact account of political prisoners. Various foreign newspapers mention round numbers of 5 to 10,000. But, as private letters indicate, this is considered too low by some who know better the rural scene where there are many provincial and town jails filled with people arrested at the slightest provocation by the military authorities.

It is quite clear that political prisoners are abused. Episodes have occurred from the early days of martial law as newspaper stories (e.g. the *Honolulu Advertiser*, October 30, 1972) and private letters to foreigners have reported. Food and living conditions are extremely unhealthy. Torture is believed to be fairly common although only a few cases can be well documented. Random censoring of mails inhibits communication as Philippines exiles here report. Once arrested, prisoners can sit in jail indefinitely before being brought to trial. Even before martial law prisoners could sit for years without being tried, especially if the charges were "political crimes." Now there is not even the facade of habeas corpus as the Honolulu publication *Pahayag* reported on August 9, 1973. Trials are by military tribunal with predictable results. One celebrated case, that of Senator Aquino, was reported in the *Philippine Times* (August 31, 1973). The Government censored press did report recently that some political prisoners have been released. It is important, however, to know that ex-prisoners are subject to various harassments and have often been rearrested with no media attention.

Detention of political prisoners is a most obvious and tangible abrogation of human rights in a society. In the Philippines they are only one example in a society beset by a profoundly complex multi-faceted civil war. This is not the place to detail the American role in the creation of this war. The long history of American manipulation and control of the Philippine economy and government is familiar to the committee. What needs stressing is that the Philippines is a sadly typical example of a dictatorship propped up in large measure by American aid. Early this spring the *Wall Street Journal's* Manila correspondent reported a prominent Philippine politician, who preferred to remain anonymous, as saying that many Filipinos understood that if it were not for the support of the United States, Marcos would not last a month. This may be extreme but it points up the basic tie.

President Nixon has made a one-sided, executive commitment to this unconstitutional Philippine regime. Although it remains unspoken, its reality can be measured by the increased aid, up $16 million to a $100 million request from Congress for FY 74 military and economic support to the Marcos government. The Senate Foreign Relations Committee report on S. 2335 (p. 18) shows a declining but ongoing public safety program. Thus the Marcos police who are imprison-

ing his critics are at least in part trained and equipped by the United States government. An FY 74 request for $30 million of military aid (up $10 million from last year) leads inevitably to the conclusion that the Philippine troops maintaining "order" in the countryside are in part armed and supplied by the United States. Marcos is not even content with destroying the freedoms of the Philippine people at home to keep himself in power. He is also attempting to negotiate an extradition treaty with the Nixon Administration in order to be able to silence through intimidation those opponents of his regime who have found refuge in this country.

It is sometimes difficult for Americans to step outside their country and their culture and to imagine how military and economic aid becomes the means for the destruction of civil liberties. I have in my files perhaps two dozen reports on the Philippines that show particular incidents of the total intolerance of political dissent and organization on campuses (the *Honolulu Advertiser*, September 28, 1972, October 25, 1972, and October 31, 1972 are three), the harassment and dragooning of whole blocks and neighborhoods of poor urban residents (the *Bulletin Today*, one of the three official Philippine newspapers, September 19, 1973 e.g.) the abuse and mindless relocation of squatters (the *Bulletin Today*, April 12, 1973 e.g.), and the terrorism and excesses in rural areas where control of subordinate police and army officers is even more limited (See *Pahayag* #5, April, 1973). I would like to share with you one short report of an episode from Dumaguete City in Negros Oriental province. It was written in mid summer by a Filipino under the pseudonym of George Feliciano, and will appear in *Pahayag* this month:

"Military excesses are expected daily occurences in areas where war actually rages like Mindanao or Bicol. But in peaceful towns, their stupidity and cruelty never ceases to surprise, in spite of the fact that they have become near-daily occurences. Dumaguete City, the capital of Negros Oriental, has witnessed no rebel activity. Unlike Bacolod or Iloilo, one hears practically nothing there of the NPA [New Peoples Army, a leftist guerilla force]. Yet the fact of Martial Law has been made foolishly palpable to the residents of this otherwise peaceful city through violent acts committed by the military.

"Last June, a young man, known throughout the small town as a decent, devout, and apolitical youth, was murdered outright by two PC [Philippine Constabulary] enlisted men. The young man played the organ at a local hotel restaurant. Every night he started playing at 6:00 P.M. One early evening at about 5:30 the two PC came into the resturant and ordered the young man to play. He politely told them that he was scheduled to begin at 6:00 and asked them to wait. They asked once more, and when the musician once more politely refused, one of them took out his gun and shot him on the spot. "It was the *fourth* unnecessary murder by the PC since the declaration of martial law and the citizens were angry. Military authorities forbade radio stations to announce the time and place of the funeral and made it difficult for people to attend. In spite of this, the turnout for the funeral was large, a fact which thoughtful town residents interpret as an act of protest on the part of the populace.

"The two soldiers are said to be in the stockade at Camp Crame awaiting trial, though no information is available about their case. The major military response to the action was to remove the Provincial Commander of Negros Oriental. But rather than charging him with any wrongdoing, they have simply transferred him someplace else where he can continue to exercise his irresponsible authority.

"The murder of the young musician fits neatly into the pattern of mindless violence which characterizes life in the countryside. In the short run, military terrorism no doubt serves the government's purposes by frightening people into compliance. But in the long run such behavior works directly against the government's goals. The population of Dumaguete City knows that the young man who was killed was no activist, that he was a polite, decent person. These otherwise cooperative townspeople are angry at those who murdered him and the authorities who allow murders to go unpunished. Each time an event like this occurs, their anger will grow until one day their sympathies will no longer lie with the government but with the revolutionary forces. Each time the military commits a terrorist act like this, it sows the seeds of its own destruction."

It is too late to preserve the human rights of the organ player from Dumaguete but it is not too late to begin to understand why he died. Virtually every human society is filled with conflicts among elements with disparate political, economic, or social power. If the United States provides the means for conflicts to be solved by force, it encourages such methods. By so doing this country becomes responsible and perpetuates violence, as in the ongoing civil wars in South Vietnam and the Philippines.

There is quite evident sentiment in this Congress, which I share, to improve the rights of certain groups like the Soviet Jews by political pressure. Congress has not yet defined what constitutes outside interference and what does not. But we have no place in providing economic and military aid to governments which work actively to destroy human rights. I urge your support of H.R. 10455.

LOWER PHYSICAL STANDARDS FOR ENLISTING IN ARMED FORCES

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1973

Mr. ASPIN. Mr. Speaker, a new study commissioned by the Office of Naval Research says that the Navy could ease its present recruiting problems by relaxing physical standards for enlistees. These recommendations could apply to the other services as well.

If the services were to adopt these recommendations it would be a big break for the all-volunteer concept. If the Pentagon is really serious about having an all-volunteer military, it will adopt the recommendations of this study without a moment's delay. The study suggests more leniency in admissions standards for persons with impairment of the hands, eye trouble, speech impediments, disfigurements, and for those who are overweight or have high blood pressure.

It suggests a 1-year trial of enlistment for evaluating persons admitted under the new standards. It also lists certain jobs in which these people should be restricted. It recommends no changes in present hearing standards.

The effect of lowering physical standards for enlistment would be to raise the overall intelligence level in the military by increasing the manpower pool from which the services can choose. Recently, as the services have attempted to fill their quotas for the all-volunteer force, they have been forced to accept more men with low intelligence scores.

At the same time, the new physical standards would not result in the reduction of the efficiency of military operations. Many jobs, in the military as well as in the civilian sector do not require men in perfect physical condition. Certainly, we do not need a combat-ready soldier to pound a typewriter or to operate a computer, and that is the kind of thing that many servicemen are doing these days.

I believe that lowering physical enlistment standards for the military is one of three things that will help insure the success of the all-volunteer force. The other two would be to recruit more women and to civilianize a greater number of military jobs.

AIR POLLUTION

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. CARTER. Mr. Speaker, I include for the benefit of the Members the first of a series of studies conducted by Dr. Jan J. Stolwijk of the Department of Epidemiology and Public Health at Yale University on air pollution.

This is the first of a series of studies which will be conducted by this eminent scientists with the capable assistance of many prominent members of the Yale faculty.

The possibilities projected in this particular paper indicate that our air pollution standards may well be incorrect and, therefore, that our standards may involve substances of lesser toxicity than others emitted through exhausts or stacks.

The study follows:

AIR QUALITY CRITERIA, PUBLIC HEALTH AND QUALITY OF LIFE

The air pollution episode in Donora, Pennsylvania in October 1948 was unparalleled in the U.S. for its severity and for the effect it has had on subsequent studies and regulatory activities. Until then air pollution had been considered for its effect on the quality of life. After Donora, air pollution is primarily considered for its effect on health, with a tendency to include quality of life effects as health effects.

Since 1948 a very considerable body of literature has developed which concerns itself with the health effects of air pollution. This literature, which has been reviewed on many occasions by different authors and by groups and committees, however, is subject to varying, often conflicting interpretations. Research results to date indeed reveal that a variety of air pollutants have deleterious effects on human health and on the quality of human life. For many of the pollutants, the effects on man have been separately demonstrated and the mechanisms involved have been elucidated. It does not appear likely that any additional health effects of air pollutants have been overlooked and not pointed out in the existing literature.

The fact remains that there is continuing disagreement between scientists with regard to the available evidence. The scientific community continues to be questioned by political decision makers and by different interest groups, and it is clear that the available evidence does not allow conclusive statements about the quantitative relationships between air pollutant concentrations and health effects.

The reason for the ambiguities in the research results are well understood:

(a) The scientific quality of the work on

which the reports are based is marred by often unavoidable methodological imprecision.

(b) In general evidence based on experimental exposure of healthy subjects or animals to individual pollutants indicates high threshold concentrations.

(c) Epidemiological evidence is often compromised by multiple correlations, by inadequacies in pollutant concentration measurements and by inadequate definition of the susceptible population.

(d) Many primary air pollutants can produce secondary products in the atmosphere or can combine with particulate matter with health effects which can be substantially different from those of primary pollutants as emitted.

There is unfortunately very little reason to suppose that further research will produce results with less ambiguities which will allow easier decision making. The question: "How much of a given air pollutant can we safely tolerate?" is a question which can be addressed to the scientific community but to which no simple answer is possible.

Such questions have been designated as trans-scientific questions by Alvin Weinberg in a very thoughtful paper. If the question does get posed to a group of experts and if they are forced to provide a single answer that answer will tend to err very much on the safe side especially when safety will be the only consideration, and the experts are not held accountable for direct costs and other side effects of adoption of such a single value.

We believe, therefore, that the best approach to determining "safe" concentration will likely be found if we first make it abundantly clear that a quantitative uncertainty exists and secondly if we bring legislative decision makers into the standards and criteria setting process.

The Yale study then will review the health effects literature with that purpose in mind. We plan to establish the types of effect and the pollutant concentration range involved for each of the pollutant species, and with special emphasis on mobile source emissions. In so doing we will make a clear distinction between effects which produce or aggravate disease, and effects which we consider to be affecting the quality of life in much the same way as factors such as noise, crowding, congestion or economic opportunity.

We believe the separation of effects into those producing or aggravating disease and those which affect the quality of life is an important one. We further believe that those effects which produce disease and which may be determined more objectively should be built into criteria which, protecting the population against such, should be enforced rigorously whenever and wherever such threats occur by all available means and essentially at any cost.

Quality-of-life effects of air pollutants, however, are more subjective in nature; although objective measurements are often possible, they are related to the source or stimulus and not to the actual effect on a population. It is our view that these quality-of-life effects of air pollutants and pollution abatement directed at improving quality of life are an area where conflicts of opinion and value judgments as well as cost-benefit considerations apply.

It would seem appropriate to conclude that criteria, standards and abatement strategies in these areas should be more flexible, should have considerable local input, and should be weighed in the context of other factors affecting other aspects of the quality of life.

Our review of the health effects and air quality criteria during the next year will thus concentrate on providing a division between effects producing or aggravating disease, and effects on the quality of life. For the various important pollutants we will identify the ranges of concentrations in which various mechanisms act on different parts of the population. Although we will most likely need to revise the precise categories we will start with the following categories which we will attempt to assess for the several types of air pollutants:

1. Body burden effects: Irreversible accumulation of a body burden of disease producing material. When airborne material which is able to produce disease is inhaled and accumulated, there is no possibility of correcting the effect of a quality criterion which is not sufficiently strict: we would expect that there would be substantial numbers in the population who already have accumulated dangerous amounts of material. Certain types of particulate material may be in this category and it is obvious that very conservative criteria are in order. It is also clear that the important components of automotive emissions are not in this category.

2. Irreversible damage or impairment: If a pollutant causes irreversible damage or serious functional impairment in healthy individuals, the limits of acceptable concentration should be well below the range in which such effects occur. It is nevertheless important to indicate this range in order to provide a perspective of margins of safety and potential liability.

3. Reversible damage or impairment of function in healthy individuals is also to be avoided at great cost when such reversible effects are likely to impose a risk of cumulative damage.

4. There are in each population groups with pre-existing disease with a continuum of severity. Such groups tend to have lower tolerances to a number of environmental factors including but not limited to different air pollutants. The ranges of concentrations, and the number of individuals in the population should be taken into account in considering air quality levels for different air pollutants for this segment of the population. For this segment of the population high atmospheric temperature and water vapor pressure is a more serious threat for the urban population nationwide than are air pollutants at current levels. This segment of the population is already under medical management and the treating physicians can and do protect such susceptibles from the special environmental threats. It is not possible to protect highly susceptibles from all environmental threats nor do we do this in similar cases. As an example, substantial segments of the population suffer from pollen allergy and although parts of this population are severely threatened we do not have criteria for pollen concentration and we do very little, if anything, to reduce environmental pollen concentration.

In addition to effects which directly impair health or ability to function, there are a large number of effects which lower the quality of life in more subjective ways. This can be due to slight to serious discomfort such as in smog-induced eye irritation; due to interference with sensory perception such as in reduced visibility or with odors associated with air pollution; or due to aesthetic and economic damage due to soiling or increased corrosion rates. As far as air pollutant emissions are concerned they take their place in the spectrum of quality-of-life factors with such other consequences of the type of transportation system to which the U.S. is so strongly committed: transportation induced noise, congestion, land use effects, etc. Offsetting these negative factors are the consequences which are seen as desirable and which brought about this commitment in the first place; fast, convenient and relatively cheap personal transportation.

It will be very difficult to produce a comprehensive and generally acceptable listing of air pollution effects based on the divisions outlined above. We believe that even an incomplete and somewhat controversial attempt will be very helpful in regaining the perspectives required for an optimal but not perfect decision making process if the current legislation is reviewed.

Some very interesting observations can be made from the very start regarding automotive air pollutants:

1. At the present time only the following emissions are likely to be involved in body burden effects: lead, asbestos and possibly some tire particulates.

2. Carbon monoxide in concentrations likely to occur in the near and intermediate future will have mostly reversible health effects in susceptible classes although there may be a very slight increase in mortality in very susceptible groups. Carbon monoxide will have no other quality-of-life implications.

3. Hydrocarbons in the gas phase will have no direct health effects but will operate mostly through secondary pollutants, and almost exclusively via quality-of-life effects.

4. Nitrogen oxides will have their effect again mostly on quality-of-life factors with minimal risks for health at current concentrations.

We will document that we will never be able to produce either absolute "safety" or absolute values of pollutant concentration which can be quantitatively related to thresholds or other risk levels.

The remainder of our health effects study will be devoted to classifying existing reports with regard to pollutant concentration ranges in which irreversible and reversible health effects of different types occur in what segment of the population. We will describe the continuum and indeed the overlap which exists in disease producing effects and quality-of-life effects. We hope that in this fashion we can clarify the ranges of pollutant concentration which properly are the subject of prescriptive protective regulation, and the ranges which are involved in quality-of-life considerations which we feel should be regulated more flexibly, perhaps on a regional basis and where direct and indirect cost of the regulatory effort should be related to the perceived improvement in *total* quality of life.

EMISSION CONTROL STRATEGIES OF THE 1970 CLEAN AIR ACT COSTS, EFFECTIVENESS AND ALTERNATIVES

The 1970 Clean Air Act differed substantially from earlier Air Quality legislation in its implementation strategies. Especially with respect to motor vehicle emissions for which specific levels of reduction were included in the Act, it has brought about substantial reductions in emissions from new vehicles, and the vehicle population will continue to produce less and less of the three major types of pollutants.

Since the Act was passed, a number of factors have emerged which were not and could not have been considered during the legislative discussions.

Some of these factors were unknown at the time because the technological developments required could not be precisely foreseen, and their cost could not be estimated.

In the health effects data, the effects producing or aggravating disease or producing increased mortality were not completely separated from what we would classify as the quality-of-life effects. This resulted in quality-of-life threshold values which certainly should have been considered in a cost context, but were, in fact, considered as nonnegotiable health criteria.

Several regional implementation plans, especially in the transportation control elements, are indicating serious difficulties in meeting air quality criteria even with the mandated emission reductions.

Estimates of overall costs of automotive emission controls are becoming progressively higher with the Committee on Motor Vehicle Emission of the National Academy of Science estimating an eventual increment

of $25 billion annually over the comparable 1970 costs. This would appear to be considerably higher than the total estimated cost of air pollution in the U.S. which is estimated by the RECAT Committee report to be about $16 billion; or the total health cost of air pollution which Lane and Leskin estimate at 4.5% of all health costs or $6.1 billion annually.

Unfortunately one of the technological side effects of the adopted methods for automotive emission control at the mandated level is a fairly severe fuel consumption penalty which will increase total fuel demand in the face of diminishing resources, and increasing pressure on our balance of payments.

In the critical regions, the implementation plans indicate a requirement of substantial reductions in total vehicle miles driven especially during peak hours. Although the requirement is clear, it is also becoming clear that unless more acceptable alternatives are provided such reductions are going to be very difficult to accomplish.

We are exploring the feasibility and advantages and disadvantages of alternative strategies which might accomplish improvements in the quality-of-life in the urban regions including reductions in air pollutant emissions by automobiles.

TOO MANY PEANUTS

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. GOODLING. Mr. Speaker, the surplus peanut situation is costing the American taxpayer money. This was pointed out in an October 1, 1973, issue of the Wall Street Journal.

The article points out, for instance, that the peanut surplus has cost the taxpayer in the vicinity of $70 million last year. I submit this article to the CONGRESSIONAL RECORD for the attention of my colleagues, because, in a manner of speaking, that is not peanuts:

HERE'S THE SITUATION IN A NUTSHELL: U.S. HAS TOO MANY PEANUTS—THE SURPLUS IS VERY COSTLY, SO NEW USES ARE SOUGHT; DO PEANUTS HELP DRINKERS?

(By Mitchell C. Lynch)

WASHINGTON.—Peanuts make a flour that doesn't taste like peanuts; some think this is a good thing, but others aren't so sure. Peanuts may enable you to drink more at cocktail parties; then again, they may not. There are a lot of bad puns in peanuts. And there are uses for peanuts that George Washington Carver never dreamed of.

But the main thing about peanuts is that there are too many of them—and that's driving Earl Butz crazy.

"You can quote me on that," the Secretary of Agriculture declares. For at a time when world-wide demand for many U.S. farm products has outrun supply and sent prices skyrocketing, Mr. Butz has a problem of an entirely different kind with peanuts: a big surplus. The surplus cost taxpayers $70 million last year, is expected to cost them about $537 million over the next four years and is generating a lot of bad puns right now.

There are those, for example, who like to point out that the federal cost of buying up all those surplus peanuts is hardly, well, peanuts. There is the Agriculture Department official who says, "We've been taking a roasting for a long time."

You can sum up the peanut situation—in a nutshell, of course—like this: There is a 30-year-old law that limits the nation's peanut farmland to 1.6 million acres. These are alloted on "an historical basis," meaning that only land that was devoted to peanuts three decades ago can be used for peanuts today. The law was supposed to keep peanut supply in line with peanut demand. It hasn't worked out that way.

SOME FACTS AND LORE

The reason is that the peanut farms turned to new fertilizers, pest-killers and irrigation equipment and promptly grew more peanuts than ever. A decade ago, they were reaping about a half ton of peanuts per acre; now it's a ton, and it could be a ton and a half by 1980. Peanut consumption just hasn't kept pace. In the 1966–71 period, for example, national output bounded ahead by 116 million pounds, but national consumption increased by only 21 million pounds.

What to do? Well, one obvious answer is to get everybody to eat more peanuts. Another is to go George Washington Carver one better. (He, of course, was the black researcher who figured out how to make more than 300 products from peanuts, ranging from ink to soap and ersatz coffee.) Both have prompted no end of study in the Agriculture Department.

It can be documented, for example, that the average U.S. citizen eats about seven and a half pounds of peanuts a year. This comes out to about three and a half pounds of peanut butter, a pound and a half of salted peanuts, another pound and a half mixed with candy and a pound of what the department calls "ballpark peanuts," the kind sold with their shells still on.

Now the department's research center in New Orleans is working on ways to squeeze the peanut oil from peanuts and then refill them with water. This would take out calories and presumably open up new markets among weight-watchers. On the other hand, it might hurt the existing market among drinkers.

Some drinkers, it seems, believe that by munching peanuts between swigs they can coat their stomachs with peanut oil, thereby slowing the alcohol's inexorable entry into their bloodstreams. Other drinkers doubt this and swear by butter. But that's another story.

The agricultural researchers also report headway in their efforts to make charcoal and plasterboard from peanut hulls. And they're working hard on that high-protein peanut flour, to be added to regular flour to make cookies and cakes more nutritious. This flour, as previously mentioned, doesn't taste like peanuts, although some researchers think it would be better if it did.

AN ACADEMIC QUESTION

Whether Americans eat enough peanuts is rather academic to the peanut farmers, though. What they can't sell on the open market, the government buys through the Commodity Credit Corp. The CCC then sells most of the surplus overseas but—here's the clinker—at the prevailing world price, which is always lower than the price the CCC paid farmers. That's how the CCC lost $70 million in the last fiscal year.

Now this is either a sorry state of affairs or a pretty good situation, depending on who you are.

"It's what one could call one hell of a ripoff," complains one critic within the Agriculture Department. Not so, says Sen. Herman Talmadge. Democrat Talmadge, happens to think the program is a good idea, perhaps because he is from Georgia and peanuts are Georgia's biggest cash crop. He also happens to be chairman of the Senate Agriculture Committee. This is why even the critics listen when he says: "A cut in the support program would be disastrous to all rural residents who depend upon the economic activity generated by peanuts."

MARCELLUS MURDOCK ENTERS EDITORS' HALL OF FAME

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 11, 1973

Mr. SHRIVER. Mr. Speaker, the William Allen White School of Journalism at the University of Kansas recently named Marcellus Murdock, the late president and chairman of the board of the Wichita Eagle & Beacon Publishing Co., to the Kansas Newspaper Editors Hall of Fame. It was an appropriate and deserving tribute to one of our State's distinguished newspaper editors. The Murdock name is synonymous with journalism and progress in Wichita and Kansas. Marcellus Murdock was a moving force in Wichita until his death in 1970. He truly earned a place in the Editors' Hall of Fame.

Under the leave to extend my remarks in the RECORD, I include the article from the Wichita Eagle & Beacon detailing the honor accorded to Mr. Murdock by the Kansas University Journalism School. The article follows:

EDITORS INDUCT MURDOCK INTO HALL OF FAME

LAWRENCE, KANS.—Marcellus Murdock, late president and chairman of the board of The Wichita Eagle and Beacon Publishing Co., was named to the Kansas Newspaper Editors Hall of Fame at the University of Kansas Saturday.

Murdock, who died in 1970, was selected by Kansas editors in the first year he was eligible to be named. Announcement was made during KU Editors' Day activities, sponsored by the William Allen White School of Journalism.

Also on the program were talks by Chancellor Archie Dykes and Richard Smyser, editor of the Oak Ridge, Tenn., Oak Ridger and vice president of the Associated Press Managing Editors Association.

In tribute to Murdock, Calder Pickett, KU journalism professor, recalled the beginning of Kansas journalism in the era of "bleeding Kansas," when pro-slavery and anti-slavery forces were battling, and the founding of the Wichita City Eagle by Murdock's father, Marshall, in 1872.

Murdock, born in 1883, became a printer on his father's paper. At 19, he became an Eagle reporter, covering the town stockyards. Later he was sent to Guthrie, then capital of Indian Territory, where he became chief correspondent in the area that soon would become the state of Oklahoma, Pickett said.

Returning to Wichita, Murdock stayed on the news staff and worked his way up to managing editor in 1903, the same year his brother, Victor, was elected to Congress.

Murdock became a crusader, Pickett said, and sought the resignation of a police chief after the Eagle learned there was a bawdy house in city hall. A federal grand jury ended the police chief's career by indicting him for post office robbery.

Murdock became publisher of The Eagle in 1907. Pickett said much of the history of The Eagle was marked by its competition with The Beacon, first published by Henry J. Allen and then sold to the Levand brothers in 1928.

After the Eagle purchased The Beacon in 1960, Murdock said competition with the Levands had "caused the brain of Marcellus Murdock to operate at its full capacity; whatever was there got its full test."

Pickett noted Murdock received many awards during his career. In 1961, he was

named winner of the eighth William Allen White Award for Journalistic Merit of the William Allen White Foundation. He received a doctorate of humane letters from Wichita University in 1963 and the Brotherhood Award of the National Conference of Christians and Jews in 1965.

More than 200 journalists from across the nation honored Murdock at a testimonial in 1966.

Murdock loved flying, Pickett recalled. In 1929, he was breveted a pilot by Orville Wright and became known as the flying editor of Kansas. He flew almost every kind of plane, including piloting one that broke the sound barrier—when he was 80.

Pickett described Murdock, who died at 87, as "a gentleman, as a warm winning personality," one who saw himself as "a shining example of what can happen to mediocrity." Though he would not have called himself a philosopher, Pickett said, Murdock was a man of common sense, in his utterances about the role of the press and in his beliefs about how all men should live.

IN MEMORIAM: LUDWIG VON MISES

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. KEMP. Mr. Speaker, in the turmoil of the day—the Middle East crisis, the resignation of the Vice President, the nomination of a new one, the struggle in Congress over war powers—we cannot fail to note the passing of one of the great economists of our age, a man who towered in his profession, a man whose unfailing devotion to libertarian economic principles served as the principal inspiration for an entire school of economic thought—the Austrian School. I speak of Prof. Ludwig von Mises, who died on the 10th. at the age of 92.

In an "In Memoriam" feature within today's Wall Street Journal, Dr. William H. Peterson, a former New York University faculty colleague of Professor von Mises', summarized the force of Dr. von Mises' thinking upon several generations of economists, as follows:

Professor von Mises * * * was an uncompromising rationalist and one of the world's great thinkers. He built his philosophical edifice on reason and individualism, on freedom and free enterprise. He started with the premise that man is a whole being with his thought and action tightly integrated into cause and effect—that hence the concept of "economic man," controlled by impersonal force, is in error.

* * * * *

He opposed the planned society, whatever its manifestations. He held that a free society and a free market are inseparable. He gloried in the potential of reason and man. In sum, he stood for principle in the finest tradition, of Western civilization. And from that rock of principle during a long and fruitful life, this titan of our age never budged.

At this point in the proceedings, I wish to insert the entirety of my good friend, Dr. Peterson's eulogy:

LUDWIG VON MISES: IN MEMORIAM

(By William H. Peterson)

Ludwig von Mises—"Planning for Freedom" 1952. "Laissez faire does not mean: let soulless mechanical forces operate. It means: let individuals choose how they want to cooperate in the social division of labor and let them determine what the entrepreneurs should produce. Planning means: let the government alone choose and enforce its rulings by the apparatus of coercion and compulsion."

A generation of students at New York University's graduate business school who took the economics courses of Ludwig von Mises remember a gentle, diminutive, soft-spoken white-haired European scholar—with a mind like steel.

Professor von Mises, who died Wednesday at the age of 92, was an uncompromising rationalist and one of the world's great thinkers. He built his philosophical edifice on reason and individualism, on freedom and free enterprise. He started with the premise that man is a whole being with his thought and action tightly integrated into cause and effect—that hence the concept of "economic man," controlled by impersonal force, is in error.

All this was subsumed under the title of his 900-page magnum opus, "Human Action," first published in 1949. Mr. von Mises, a total anti-totalitarian and Distinguished Fellow of the American Economic Association, was professor of political economy at New York University for a quarter-century, retiring in 1969. Before that he had a professorship at the Graduate Institute of International Studies in Geneva. And before Geneva he had long been a professor at the University of Vienna—a professorship which the oncoming Nazi "Anschluss" take-over of Austria, understandably, terminated.

Among his students in Vienna were Gottfried Haberler, Frederich Hayek, Fritz Machlup, Oskar Morgenstern and Karl Popper who were to become scholars of world renown in their own right.

Starting right after World War II, Mr. von Mises gave three courses at NYU: Socialism and the Profit System, Government Control and the Profit System, and Seminar in Economic Theory. In each course he carefully established the primacy of freedom in the marketplace. He stated that the unhampered pricing mechanism, ever pulling supply and demand toward equilibrium but never quite reaching it, is the key to resource optimization and, indirectly, to a free and creative society.

Mr. von Mises believed in choice. He believed that choosing among options determines all human decisions and hence the entire sphere of human action—a sphere he designated as "praxeology." He held that the types of national economies prevailing across the world and throughout history were simply the various means intellectually, if not always appropriately, chosen to achieve certain ends.

His litmus test was the extent of the market; accordingly, he distinguished broadly among three types of economies: capitalism, socialism, and the so-called middle way—interventionism, or government intervention in the marketplace.

A BELIEF IN CHOICE

Mr. von Mises believed in government but in limited, non-interventionistic government. He wrote: "In stark reality, peaceful social cooperation is impossible if no provision is made for violent prevention and suppression of antisocial action on the part of refractory individuals and groups of individuals." He believed that while the vast majority of men generally concurs on ends, men very frequently differ on governmental means—sometimes with cataclysmic results, as in the various applications of extreme socialism in fascism and communism or of extreme interventionism in the "mixed economies."

He reasoned that regardless of the type of economy the tough universal economic problem for the individual in both his personal and political capacities is ever to reconcile ends and choose among means, rationally and effectively. Free—i.e., noncoerced—individual choice is the key to personal and societal development if not survival, he argued, and intellectual freedom and development are keys to effective choices. He declared: "Man has only one tool to fight error—reason."

Mr. von Mises thus saw something of an either/or human destiny. While man could destroy himself and civilization, he could also ascend—in a free society, i.e., a free economy—to undreamed-of cultural, intellectual and technological heights. In any event, thought would be decisive. Mr. von Mises believed in the free market of not only goods and services but of ideas as well—in the potential of human intellect.

The failure of socialism, according to Mr. von Mises, lay in its inherent inability to attain sound "economic calculation," in its denial of sovereignty to the consumer. He argued in his 1922 work, "Socialism," published five years after the Bolshevik Revolution that shook the world, that Marxist economics lacked an effective means for "economic calculation"—i.e., an adequate substitute for the critical resource-allocation function of the market pricing mechanism. Thus is socialism inherently self-condemned to inefficiency if not disorder, unable to effectively register supply and demand forces and consumer preferences in the marketplace.

Socialism must fail at calculation because an effective economy involves the simultaneous decisions of many individual human actors—which creates far too large a task for any central planning board, argued Mr. von Mises.

The problem, as Mr. Hayek later pointed out, is of the use of knowledge in society. A central planning board cannot obtain the knowledge of the decentralized market. To do so ultimately would be to require the central planning board to know as much as each human actor. Thus this knowledge is far beyond the reach of any centralized agency, even with the aid of computers.

Some years afterwards, Oskar Lange, then of the University of California and later chief economic planner of Poland's Politburo, recognized the challenge of the von Mises critique on Socialist economic calculation. So he in turn challenged the Socialists to somehow devise a resource allocative system to duplicate the efficiency of market allocation. He even proposed a statue in honor of Mr. von Mises to acknowledge the invaluable service the leader of the Austrian School had presumably rendered to the cause of socialism in directing attention to this as yet unsolved question in Socialist theory. The statue has yet to be erected in Warsaw's main square.

But probably to Mr. von Mises the more immediate economic threat to the West was not so much external communism as internal interventionism—government ever undermining if not outrightly supplanting the marketplace. Interventionism from public power production to farm price supports, from pushing minimum wages up to forcing interest rates down, from vigorously expanding credit to contracting, however inadvertently, capital formation.

As in socialism, interventionism also incurs the problem of economic calculation, of denial of consumer sovereignty. In his "Bureaucracy," he held that government agencies have essentially no criterion of value to apply to their operations, while "economic calculation makes it possible for business to adjust production to the demands of the consumers."

On the other hand, he maintained, "if a public enterprise is to be operated without regard to profits, the behavior of the pupils no longer provides a criterion of its useful-

ness." He concluded, therefore, "the problem of bureaucratic management is precisely the absence of such a method of calculation." Indeed, interventionism, he maintained, usually achieves results precisely opposite to those intended: subsidies to industries make them sick, minimum wage laws boomerang on labor, welfare hurts the poor, industrial regulation reduces competition and efficiency, foreign aid undermines developing countries.

So, citing German interventionist experience of the 1920's climaxing in the Hitlerian regime and British interventionism of the post-World War II era culminating in devaluations and secular economic decline, he held so-called middle-of-the-road policies sooner or later lead to some form of collectivism, whether of the Socialist, Fascist or Communist mold.

INTERVENTION BREEDS INTERVENTION

He maintained economic interventionism necessarily produces friction whether at home or, as in the cases of foreign aid and international commodity agreements, abroad. What otherwise would be simply the voluntary action of private citizens in the marketplace becomes coercive and politicized intervention when transferred to the public sector. Such intervention breeds more intervention. Animosity and strain if not outright violence become inevitable. Property and contract are weakened. Militancy and revolution are strengthened.

In time, inevitable internal conflicts could be "externalized" into warfare. Mr. von Mises wrote: "In the long run, war and the preservation of the market economy are incompatible. Capitalism is essentially a scheme for peaceful nations. . . . To defeat the aggressors is not enough to make peace durable. The main thing is to discard the ideology that generates war."

Mr. von Mises had no stomach for the idea that a nation could simply deficit-spend its way to prosperity, as advocated by many of Keynes' followers. He held such economic thinking is fallaciously based on governmental "contracyclical policy." This policy calls for budget surpluses in good times and budget deficits in bad times so as to maintain "effective demand" and hence "full employment."

He maintained the formula ignored the political propensity to spend, good times or bad. And it ignored market-sensitive cost-price relationships and especially the proclivity of trade unions and minimum wage laws to price labor out of markets—i.e., into unemployment.

Thus, he held Keynesian theory in practice proceeds through fits of fiscal and monetary expansion and leads to inflation, controls and ultimately stagnation. Further, it results in the swelling of the public sector and shrinking of the private sector—a trend that spells trouble for human liberty.

To be sure, many economists and businessmen have long felt that Mr. von Mises was entirely too adamant, too impolitic, too "pure," too uncompromising with the real world on its terms and assumptions. If that is a fault, Mr. von Mises was certainly guilty.

But Ludwig von Mises, the antithesis of sycophancy and expediency, the intellectual descendant of the Renaissance, believed in anything but moving with what he regarded as the errors of our times. He sought the eternal verities. He believed in the dignity of the individual, the sanctity of contract, the sovereignty of the consumer, the limitation of the state, the efficacy and democracy of the market.

He opposed the planned society, whatever its manifestations. He held that a free society and a free market are inseparable. He gloried in the potential of reason and man. In sum, he stood for principle in the finest tradition of Western civilization. And from that rock of principle, during a long and fruitful life, this titan of our age never budged.

In these times of wage and price controls, increased Government regulation of the economy and the means of production and distribution of goods and services, of international trade barriers, of unparalleled tamperings with monetary policy, of ramped inflation and devaluation, we need to pay closer attention than ever to the alternatives provided through the free market, the alternative expounded through a lifetime by Professor von Mises.

In a conversation betwixt Thomas More, then a member of the King's Council and to be both Lord Chancellor of England and a saint of the church, and young Richard Rich, graduate, but himself to become Lord Chancellor of that Realm, Rich asked More for his sponsorship to a position at court—to be about the King's business." More offered Rich a post but not at court, a respectable post as a teacher at the new college:

MORE. Why not be a teacher? You'd be a fine teacher; perhaps, a great one.

RICH. If I was, who would know?

MORE. You. Your pupils. Your friends. God. Not a bad audience.

Mr. Speaker, Professor von Mises was one of the great teachers of our age. I do hope the world and the United States will soon heed his advice and return quickly to the principles of the free market economy.

HOUSE PASSES WATER RESOURCES DEVELOPMENT ACT

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 12, 1973

Mr. RAILSBACK. Mr. Speaker, I am pleased the House today overwhelmingly passed—by a vote of 337 to 14, H.R. 10203, the Water Resources Development Act. The legislation provides important authorization for various public works projects, and is of vital concern to the people in my congressional district.

I would like to commend the committee particularly for the provision included in H.R. 10203 which authorizes the widening and extending of the eastern approach to the Rock Island Centennial Bridge in Rock Island, Ill. This will greatly facilitate traffic movement onto and off the bridge. It will also provide a final direct link between the Rock Island Arsenal and the major routes in this area. And, most importantly, it will benefit thousands of people who must use the bridge daily.

I know I speak for the many people I represent when I say that today's House action is of great encouragement.

A NOT-QUITE PRECEDENT

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Saturday, October 13, 1973

Mr. HARRY F. BYRD, JR. Mr. President, the September 25 edition of the Petersburg Progress-Index included an interesting editorial about the career of Judah P. Benjamin, who held three Cabinet positions in the Government of the Confederate States of America.

Attention was called to Benjamin when Dr. Henry Kissinger took the oath as Secretary of State. Dr. Kissinger is the first Jew and the first naturalized citizen to hold that office, but Benjamin, who, of course, served more than a century ago, also was of the Jewish faith.

I ask unanimous consent that the text of the editorial, "Here's A Not-Quite-Precedent," be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HERE'S A NOT-QUITE-PRECEDENT

"There is no country in the world where it is conceivable that a man of my origin could be standing here next to the President of the United States."

So said Dr. Henry A. Kissinger in the ceremony incidental to his taking of the oath as the 56th United States Secretary of State. The moving and emotional nature of the comment is clear. It is more in keeping with what used to be called the American dream than are some other happenings and statements of the time.

Dr. Kissinger, who came to this country 35 years ago with his family to escape Nazi persecution, is described as the first Jew and the first naturalized citizen to occupy the most prestigious seat in the cabinet. If those details are irrelevant to the duties, they are nevertheless pleasant and reassuring.

Although he is the first Jew to fill that office in the government of the United States he is not the first Jew to be Secretary of State in a government functioning in an area now included in the United States.

That "first" was recorded over a century ago by another government, the Confederate States of America. The individual was Judah P. Benjamin, sometimes know as "the brains of the Confederacy." Benjamin was born on the island of St. Croix in the West Indies. In the government of the Confederate States of America he held successively the offices of Attorney General, Secretary of War, and Secretary of State.

Along with the support of President Jefferson Davis, who could give firm backing to excellent men like Lee and Benjamin as well as to certain others who did not deserve it, Judah P. Benjamin had plenty of opposition. Anti-Semitism may have figured in it, but if so opposition owed a great deal more to other factors, notably distrust by the less gifted of a man who was so able and brilliant.

This not-quite-precedent for the purposes of United States history is interesting because the government which he served in a series of high offices is not usually remembered as a bastion of liberalism. Historians are more likely to describe it as a conservative revolution. But the C.S.A. may have exhibited more features qualifying for the liberal description than the party line of the professional historians chooses to concede.

The detail speaks for itself. Maybe the government which was more than a century ahead of the United States in the particular was not thinking in terms of liberalism versus conservatism, of ethnic considerations, of balance, and so on. Perhaps it just wanted to get the best man for the job. If so, there is something to be said for that, too.

PHONY TRUCK DRIVING SCHOOLS IN WISCONSIN

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 13, 1973

Mr. ASPIN. Mr. Speaker, the Chairman of the Federal Trade Commission has publicly admitted that the delay in halting the operation of five phony truck driving schools in Wisconsin "cannot be justified."

Mr. Speaker, the FTC has been dragging its feet by not halting the operation of five phony truck driving schools which have been placing newspaper ads in Wisconsin.

FTC Chairman Lewis Engman has told me:

Although much of this delay cannot be justified, I am sure that you understand the Commission's obligation to the public and to the Congress for responsible law enforcement requires careful and deliberate investigation and consideration prior to the issuance of formal proceedings.

Mr. Engman goes on to say that the consumer protection operation "can be improved and expedited by several means."

Mr. Speaker, I am pleased with Mr. Engman's frank admission that the FTC cannot justify the delay in this case. But at the same time, I hope Mr. Engman will put a halt to phony truck driving schools, at once.

As some of my colleagues may know, the FTC is considering cease and desist orders against five firms which operate in Indiana and place advertisements in Wisconsin newspapers for the phony truck driving schools. When an individual responds to an ad offering training and employment he is requested to send $195 for study materials. After he sends the $195 the phony truck driving school asks for an additional $700 to provide other training.

No training is offered and there are no jobs available from these phony schools.

My understanding is that these are open and shut cases and that these phony truck driving schools can be closed down very soon. While I appreciate Mr. Engman's open admission that the FTC is too slow, he can demonstrate his good intentions by eliminating these schools at once.

The letter from Mr. Engman follows:

FEDERAL TRADE COMMISSION,
Washington, D.C., September 25, 1973.

The Honorable LES ASPIN,
House of Representatives, U.S. Congress, Washington, D.C.

DEAR CONGRESSMAN ASPIN: This is in response to your letter of September 6, 1973, concerning proposed action against firms advertising and selling "truck driver" training courses. I understand that the proposals in question will be forwarded to the full Commission for its consideration in several weeks.

I share your great concern over those who sell vocational education by means of allegedly false claims of job opportunity and earning potential. The Commission has, in addition to the litigation of cases against individual sellers of vocational education, initiated its most comprehensive educational effort to date in order to reach prospective vocational students and provide information to help those individuals evaluate courses on their merits. I have attached for your information a copy of a vocational education pamphlet recently published by the Commission.

I am also committed to eliminating sources of administrative delay within the Commission. Although much of this delay cannot be justified, I am sure that you understand that the Commission's obligation to the public and to the Congress for responsible law enforcement requires careful and deliberate investigation and consideration prior to the issuance of formal proceedings.

It is my belief that Commission consumer protection operations can be improved and expedited by several means, including closer coordination between headquarters and regional enforcement activities and by an improved and updated case management and information system. Although definite accomplishments have been brought about over the past few months, much more needs to be done. The recent reorganization of the Bureau of Consumer Protection is one example of Commission efforts to improve its operations, and I have enclosed a copy of a press release announcing this action.

I appreciate your comments and thank you for writing.

Sincerely,

LEWIS A. ENGMAN.

THE BIRTH OF A NATION: GUINEA BISSAU PROCLAIMS ITS INDEPENDENCE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 13, 1973

Mr. RANGEL. Mr. Speaker, a new nation has been declared on the African Continent. Culminating 10 years of struggle against colonial oppression, the people of Guinea Bissau in West Africa have gained control over three-quarters of their land and proclaimed their country a new nation, sovereign, and independent of Portugal.

The new state lies between Senegal and the Republic of Guinea. It is the size of Rhode Island, Massachusetts, and Connecticut combined, with a population of almost 1 million.

A 120-member National Assembly has been chosen and it has approved a constitution for the new nation. The National Assembly has selected Luis Cabral as President of Guinea Bissau. President Cabral is the brother of the late Amilcar Cabral, who organized the movement which led to the declaration of independence from Portugal, and who was assassinated by Portugese agents on January 20 of this year.

Guinea Bissau's proclamation of independence was followed immediately by recognition of the nation of Algeria, the Republic of Guinea, Tanzania, Chad, Libya, Somalia, Upper Volta, Mauritania, Madagascar, Ghana, Congo, Nigeria, Senegal, Syria, and Yugoslavia.

I congratulate the Republic of Guinea Bissau on its newly declared independence and call upon President Nixon to recognize the independence of this nation and to condemn and oppose the continuing Portuguese military actions which are attempting to keep the people of Guinea Bissau in their former subjugated colonial status.

To further inform my colleagues of the birth of this new nation and the situation in West Africa, I submit for the CONGRESSIONAL RECORD an article written by George M. Houser, executive director of the American Committee on Africa, on the independence of Guinea-Bissau.

The article follows:

INDEPENDENCE OF GUINEA-BISSAU

(By George M. Houser)

A new state in Africa has just proclaimed its establishment as an independent Republic and is now seeking recognition from the nations of the world. This in itself is not unusual. It has happened with frequency in Africa in the last decade and a half. What is unusual is that Portugal, the European power which has for decades claimed control over this African country, still refuses to acknowledge its right to self determination, and the liberation struggle continues. The country which has now proclaimed its independent status is Guinea-Bissau. It is about the size of Rhode Island, Massachusetts and Connecticut, with a population of close to one million people, and lies between Senegal and the Republic of Guinea in West Africa.

This summer I was fortunate enough to be able to go inside Guinea-Bissau with the PAIGC (the African Party for the Independence of Guinea and Cape Verde), the movement which has led the struggle for freedom. I was struck by the strength and efficiency of the movement which for some time has been operating effectively as a government for the majority of the people in that country.

The new government is not in exile. The P.A.I.G.C. has had external headquarters in both its southern and northern neighbors. But the real movement is in the country. It was the first meeting of the popularly elected National People's Assembly which, on Monday the 24th of September at a place called Madina Boe, in the eastern region of Guinea-Bissau, proclaimed the new Republic of Guinea-Bissau. The P.A.I.G.C. has established a network of administrative institutions inside the borders of their country—schools, hospitals, teaching centers, a court system, etc. which are serving the needs of the people.

1973 has been a tragic and testing year for the PAIGC. On January 20, Amilcar Cabral, who was founder and the inspired leader of the PAIGC was cruelly assassinated in a Portuguese plot to split the party and destroy the liberation struggle. My visit confirmed my conviction that the Portuguese plan had misfired badly and had in fact led to an intensification of the people's struggle. The movement, its leaders and its people were inspired by the necessity to re-double their efforts in order to make up for their tremendous loss. I even visited what had been an important Portuguese military base in the southern region, a place called Guilege which the PAIGC captured in late May.

A short while before he was killed, Cabral had announced that during 1973 the PAIGC would proclaim the existence of the state. This was not seen as a "Declaration of Independence" because they were already operating as an independent entity—but as a formal proclamation calling on the countries of the world to recognize the reality of this independence. Twelve days before his assassination, Cabral wrote a pamphlet putting the proclamation of the existence of their state in perspective. He said, "The

situation prevailing in Guinea-Bissau since 1968 as a result of the national liberation struggle . . . is comparable to that of an independent state part of whose national territory is occupied by foreign military forces. . . ."

Now, despite the loss of Cabral the PAIGC has carried out the planned proclamation. The struggle to establish this state has been long and hard. Formed in 1956 the PAIGC worked in the few towns of Guinea-Bissau until it was driven underground after the brutal Portuguese killing of fifty striking workers on the docks at Pidjiguiti in the capital of Bissau in 1959. The movement then embarked on a careful campaign to win the adherence of the mass of Guinea people who are peasants. A training center was established and about 1,000 people, under the tutelage of Cabral, were prepared for an active struggle for freedom over a two year period. In 1962, mass sabotage of Portuguese installations began. In 1963 the armed struggle was initiated. By 1968 virtually ⅔ of the country was under the control of the PAIGC. Now only the few larger towns and heavily militarized bases in scattered parts of the country are still controlled by the Portuguese. In 1972 the PAIGC organized the first election in which the people of Guinea-Bissau had ever had a chance to participate and a National Assembly of 120 members was chosen. This is the legislative body which just met to proclaim independence.

I was deeply impressed by what I saw of the nation-building activities of the PAIGC in the midst of conflict. I visited two of the five boarding schools of the PAIGC. Altogether there are about 15,000 students in PAIGC schools. Only a fraction of this number were in school under the Portuguese. The discipline and organization were almost entirely in the hands of the students themselves. There was a staff of well-trained teachers to supervise. There are no discipline problems because the children are bound together by the common effort and they know how fortunate they are to be able to attend school.

I saw some of the "People's Shops", which are scattered in the forest throughout the liberated areas. Here the people are able to trade what they themselves have such as rice and the skins of animals for shoes, clothing, soap, sugar and other items.

There is a sophisticated system for estimating exchange values. One square meter of crocodile skin, for example, is worth two kilos of rice. The consumers items for exchange come from friendly countries such as Holland, Scandinavian, and Eastern European nations. Everywhere I went I saw impressive evidence of Cabral's contention, "Indisputably, Portugal no longer exercises any effective administrative control over most areas of Guinea-Bissau . . . It is evident that the people of these liberated areas unreservedly support the policies and activities of the PAIGC which after nine years of armed struggle exercises free and de facto administrative control and effectively protects the interests of the inhabitants despite Portuguese activities." The PAIGC have a song which says, "We control the land . . . the Portuguese have only the sky." The main risk to the people in Guinea is from bombs dropped from the air.

The Portuguese are fighting colonial wars in two other territories of Africa—Mozambique and Angola. With their effective loss of control of Guinea-Bissau, the most apparent explanation of their attempt to still hold on there is the fear that to leave would have an effect on their ability to maintain morale for their ongoing struggle in the other two territories.

Now that the PAIGC has proclaimed the existence of their state some seventy to eighty African, Asian, Latin American and some European counties will almost certainly recognize it with little delay. There is no question in my mind that the new independent Republic of Guinea-Bissau ought to be granted international recognition. It has de facto control over most of the country and the strong support of the majority of the population. Is it too much to expect that the U.S. will be prepared to anger its NATO ally, Portugal by granting recognition to the new State? The U.S. will not be able to side-step this issue very long. The new Republic will undoubtedly apply for membership to the United Nations before too long. The response to this application will be a closely watched public test for those who claim to oppose continued colonial domination in any area of the world.

A TRIBUTE TO FORMER CONGRESSMAN J. VAUGHAN GARY OF RICHMOND

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 4, 1973

Mr. VANIK. Mr. Speaker, it is with great sadness that I have learned of the death of my dear friend and former colleague, J. Vaughan Gary of Richmond.

For some years I had the privilege of spending valued time with Vaughan on legislative matters and socially. His counsel, his wisdom, his calm, and his legislative skills as well as his kindness made him one of the outstanding Members of this body. He was a Congressman's Congressman.

Since his office was very near mine in the Cannon Building, we had many cherished hours of informal discussion and debate as we walked to vote or as we visited each other. Vaughan was sorely missed when he left his beloved House of Representatives.

We too, will miss him. He served nobly. He was a noble man.

HOUSE OF REPRESENTATIVES—*Monday, October 15, 1973*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Let not mercy and truth forsake thee; bind them about thy neck; write them upon the table of thine heart.—Proverbs 3: 3.

"At Thy feet, our God and Father,
Who hast blessed us all our days,
We with grateful hearts would gather
To begin this day with praise."

Help us to make good use of the coming hours by living cleanly, laboring industriously, and loving wisely. May we have the confidence to carry our responsibilities with honor, the courage to overcome our difficulties with steadfastness, and the creative faith to live with truth and love in our hearts.

Sustain us in every effort to make our Nation a better nation and to make our world a better world.

In the spirit of Christ we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 748. Joint resolution making an appropriation for special payments to international financial institutions for the fiscal year 1974, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8825) entitled "An act making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, and corporations for the fiscal year ending June 30, 1974, and for other purposes."

The message also announced that the Senate agreed to the amendment of the House to the amendment of the Senate numbered 45, to the foregoing bill.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 2178. An act to name the U.S. courthouse and Federal office building under construction in New Orleans, La., as the "Hale Boggs Federal Building," and for other purposes;

S. 2503. An act to name a Federal office building in Dallas, Tex., the "Earle Cabell Federal Building"; and

S.J. Res. 164. Joint resolution to permit the Secretary of the Senate to use his franked mail privilege for a limited period to send certain matters on behalf of former Vice President Spiro T. Agnew.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

CHANGING NAME OF PATENT OFFICE

The Clerk called the bill (H.R. 7599) to amend the Trademark Act of 1946 and title 35 of the United States Code to change the name of the Patent Office to the Patent and Trademark Office.

There being no objection, the Clerk read the bill, as follows:

H.R. 7599

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. The Trademark Act of 1946, 60 Stat. 427, as amended (15 U.S.C. sec. 1051 et seq. (1970)), and title 35 of the United States Code, entitled "Patents", are amended by